



**TFW/Forests & Fish Policy Committee  
Forest Practices Board**

**P.O. Box 47012, Olympia, WA 98504-7012**

**Policy Co-Chairs: Stephen Bernath, Department of Ecology  
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August 13, 2013

TO: Forest Practices Board

FROM: Stephen Bernath, Co-Chair  
Adrian Miller, Co-Chair

SUBJECT: Policy Committee Priorities Projection for Calendar Year 2014

The Forest and Fish Policy Committee (Policy) continues to manage an increasing workload driven by both internal process deadlines as well as priorities directed by the Forest Practice Board. To accomplish this, Policy has scheduled additional meetings beyond regularly scheduled monthly meetings to attempt to better address the issues and meet the deadlines for completion. Policy has focused on reviewing and revising its Policy Work List over the last few months to more effectively determine what might be accomplished over the next calendar year.

There are a number of existing 2013 priorities that will be carried over into the 2014 calendar year as well as new issues that are expected to arrive at the Policy table in 2014. Additionally, anytime a study is finalized at the CMER level for review by Policy, it is considered by Policy at the subsequent meeting.

**Existing Priorities**

- **Water Typing:**
  - **Type N** - The Policy Committee approved the Type N Strategy submitted by the Policy Type N Water subgroup. Included in this strategy was a commitment to developing Forest Practice Board Manual guidance to determine the uppermost point of perennial flow in Type N Waters. There remains one point of contention the Board Manual development concerning options for identifying the uppermost point of perennial flow during the wet season. The inability to reach consensus on several alternatives and options may delay bringing to the Board the draft Board Manual Section 23, *Guidelines for Field Protocol to Locate Mapped Divisions between Stream Types and Perennial Stream Identification*, by February 2014.
  - **Type F** - At the January 3, 2013 Policy meeting, the Conservation Caucus invoked dispute resolution to develop a process to address a number of issues regarding the establishment of

the Type F and Np breaks. Policy agreed to resolve the dispute through the development and application of a Policy Type F Water Charter. Policy Co-Chairs, with third-party facilitators, communicated individually with every caucus to identify objectives and issues that should be addressed by the Policy through the Charter. This has created an extensive list of issues and special Policy meetings were held May 16, May 30, and June 12, and July 18 to attempt to come to agreement on what issues to address, when, and specific actions to address them. An additional meeting is scheduled on August 21 to finalize a Charter for Policy approval at their September meeting before beginning the next steps to address delineating Type F/Np waters. This has been a contentious debate and it is apparent that significant time and effort are needed to fully address the issues and find probably next steps for all caucuses.

- **Mass Wasting Effectiveness Monitoring Project** - The Policy committee accepted this Report and the Findings Package in April. The Policy committee decided at their 2<sup>nd</sup> May meeting to append the minority report and authors' responses to the report and to initiate action on the report. A Policy Subgroup has been formed to work through summer 2013 to develop a Charter and then develop an Alternatives Analysis as stipulated in Section 3.4 of Board Manual Section 22, *Guidelines for Adaptive Management Program*. The Policy Committee will finalize any recommendations by the September meeting for presentation to the Board at the November 2013 meeting. Any future work that stems from these recommendations will need to be addressed by Policy in 2014.
- **CMER workplan and budget for FY 14** – The Policy Committee has considered taking more time to more fully study the CMER workplan and budget. In the last several years, Policy has reviewed and approved the CMER workplan and budget at the April meeting in time for the May Board meeting. It has been suggested that Policy take more time to do this, such as reviewing the CMER workplan in a full day meeting in March 2014, then spending the full April meeting reviewing the budget. This allows for more caucus discussions in the intervening month and prepares each caucus to make better decisions when approving the budget. This also strengthens Policy's decision-making when considering the study objectives and critical questions anytime a CMER Technical Writing Implementation Group (TWIG) presents an initial study design to Policy.

### New Issues

- **Hydraulic Project Approval (HPA) code revisions** - WDFW is in the process of revising the Hydraulic Code rules (chapter 220-110 WAC). The Legislature, through 2ESSB 6406, requires any changes to the Hydraulic Code rules that impact forest practices to be reviewed by the Adaptive Management program per Appendix M of the Forests and Fish Report. WDFW has proposed the following timeline:
  - WDFW has received comments from the public on Version 3 of the draft revised Hydraulic Code rules and has forwarded the draft rules to the Office of the Attorneys General for review;
  - WDFW will then present an adaptive management request including "Version 4" of the Hydraulic Code rules to the Policy committee by October 2013;
  - WDFW will request the Policy committee to complete, within three months, the adaptive management program review and development of recommendations for WDFW on the draft Hydraulic Code rule revisions; and

- WDFW plans to present final draft Hydraulic Code rules to the Fish and Wildlife Commission for consideration and rule adoption in March 2014.

Policy has not accepted this work or the timeline as proposed by WDFW. Before Policy can consider this work in light of existing priorities, Policy has requested that the primary agencies (DNR/FPB and DFW/FWC) come to a mutual agreement on how their respective rulemaking processes will interact and where in those processes the proposal will be reviewed as outlined in Appendix M of the Forests and Fish Report.

- **Completion of CMER Research** - The following list of CMER Studies are anticipated to be delivered to Policy in 2014 and may necessitate Policy taking action:

Final Reports:

- Extensive Riparian Status and Trends Monitoring Program – Stream Temperature Phase I: Westside Type F/S and Type Np Monitoring Project
- Bull Trout Overlay Temperature Project (Eastside Riparian Shade/Temperature)
- Eastside Type N Forest Hydrology
- Tailed Frog Literature Review
- Buffer Integrity – Shade Effectiveness (Amphibian)
- Riparian Hardwood Conversion Report
- Eastern Washington Riparian Assessment Project (EWRAP)
- Forested Wetlands Systematic Literature Review

Scoping Documents or Study Designs:

- Eastside Type N Effectiveness Study
- Wetlands Research Strategy
- Forested Wetlands Effectiveness Monitoring Study
- Road Prescription Scale Effectiveness Monitoring
- Unstable Slopes Criteria Project
- Type F Riparian Prescription Monitoring Extensive Riparian Status and Trends Monitoring Program – Stream Temperature Phase I: Eastside Type Np Monitoring Project

As described above, the Policy Committee workload is heavy, yet must also remain sensitive to the changes in various timelines and to new issues as they come up. The capacity for Policy to accept any new work as assigned by the Forest Practices Board, or taken on for other reasons, will require delaying existing priorities. Even considering the existing priorities will require scheduling additional meetings and may require (only by mutual agreement or further Forest Practice Board direction) changes to dispute resolution or timelines as outlined by the Board Manual. Policy's existing workload prioritization and schedule are attached.

cc: Forest Practice Board Liaisons  
FFR Policy

Attached:

- *Prioritization of Policy's Workload*
- *Timeline for Policy Committee Workload*