

Forests & Fish Policy Committee
 December 6, 2012 Meeting Summary

Decisions and Actions Tracker from Meeting

| Decision/Action | Assignment | Due Date | Notes |
|--|------------------------------|-------------------|--|
| Send any comments/edits on July 16, 2012 meeting notes to Dawn Hitchens | Marty Acker, All | December 19, 2012 | To be incorporated into review of meeting notes at January meeting. |
| Review and accept July 16, 2012 meeting notes at January 3, 2013 meeting | All | January 3, 2013 | |
| Approved August 2, 2012 Meeting Notes | | | Approved with no changes |
| Send out draft concurrence rules to the Policy Group, which are being included in the CR102 rule-making process, with timelines for public comment period and public hearing | Terry Jackson | ASAP | Preliminary comments have already been received and incorporated from F&F stakeholders. The next review and comment period is within the CR-102 public review process. |
| Contact Terry Jackson if you have any further questions pertaining to the Draft Concurrence Rule language | All | No deadline | |
| Share settlement agreement draft with full Committee | Stephen Bernath | ASAP | |
| CMER to report on Lean Process at January 3, 2013 Policy meeting | Mark Hicks and Chris Mendoza | January 3, 2013 | |

Introductions & Background – Stephen Bernath, Co-Chair, opened the meeting and led introductions. Jim Hotvedt explained that Bob Wheeler and Claire Turpel of Triangle Associates have been hired as third-party neutrals to support the Policy Committee through at least the next five meetings. Bob and Claire introduced themselves and explained their experience working with related forestry, water quality, and biodiversity issues in Washington State and throughout the country.

Agenda – Bob Wheeler reviewed the agenda. One member asked if Triangle would attend the Type N and Type F subgroup meetings in the afternoon. Jim Hotvedt explained that Triangle’s contract currently only covers support to the Policy Committee. Triangle plans to observe the subgroup meetings in the afternoon and if needed, their contract will be amended to include support to one or more subgroups.

Updates – Stephen Bernath reminded the group that the legislative session begins next month. In the past, Policy meetings have occasionally been cancelled to recognize other responsibilities that members have at

the legislature. If meetings will be cancelled in 2013, the Co-Chairs will do their best to inform people as soon as possible (ideally at the prior meeting).

Meeting Notes – July & August 2012

The July 16, 2012 meeting notes have some additional changes. Peter Goldman clarified that his comment at the bottom of page 6 that reads “the discussion of good science is not healthy” meant that discussion could be a red herring; he did not intend to communicate that he does not support good science. Additionally, Marty Acker has some clarifications in various parts of the document; he will send those edits electronically and Policy will review the edited meeting notes at the January meeting.

The group briefly discussed how much detail is desired in the meeting notes. Stephen Bernath explained that it can differ with the note-taker; Dawn Hitchens from DNR has been the note-taker for the past several months but that will shift to Triangle’s responsibility. At the January meeting Policy can review Triangle’s first meeting summary and discuss if that format and level of detail is helpful or not.

The August 14, 2012 meeting notes were approved by the group.

FPA/HPA Rule & Board Manual – Terry Jackson explained that the integration of FPA and HPA has various components. She shared a copy of WDFW’s draft concurrence rules with the group. The draft rules are currently being reviewed by WDFW’s rules coordinator. WDFW will soon initiate rulemaking under the Administrative Procedures Act by publishing the draft rules in the Washington State Register as part of a CR-102 *Preproposal Statement of Inquiry* (hopefully in early to mid-January). As soon as the public review timeline and public hearing date(s) is known, Terry will share those dates, as well as the DRAFT rule language (formatted for official rule review) with the Policy Group. The draft concurrence rules include procedures for WDFW only. They do not explain other agencies’ roles. WDFW is working closely with DNR to complete an MOA, by the end of December 2012, addressing the integration of hydraulic projects into the forest practices rules.

An updated, coordinated timeline between WDFW and DNR will be distributed to show when the hydraulic projects will be integrated into the forest practices rules and when an associated board manual will be completed in 2013.

The Board will incorporate fish protection standards from the current Hydraulic Code Rules (WAC 220-110) into the forest practices rules. DNR plans to convene a stakeholder process to daylight the rules January-March 2013. Stakeholders are already convened for the Board Manual update.

Any questions on the concurrence rules should be directed to Terry Jackson and on the forest practices hydraulic rulemaking to Marc Engel.

Forest Practices Board – November 13th meeting

Updates:

- Aaron Everett, DNR Deputy Supervisor for Forest Practices and Federal Relations, will become the new Chair of the Forest Practices Board.

- The Board approved Aaron Everett to fill the vacant DNR position on the Northern Spotted Owl Conservation Advisory Group. This group was convened to evaluate the need to maintain owl habitat in circles where protocol surveys show owls are not present. The Board approved changing their Northern Spotted Owl Implementation Team (NSOIT) to:
 - Expand the membership to 9 including: 1 DNR representative (team Chair), 1 DFW representative, 2 industry caucus representatives, 2 conservation caucus representatives, 1 land trust group representative, 1 USFWS representative, and 1 small landowner representative.
 - Expand the NSOIT Charter to investigate if the state should consider voluntary “opt-in” federal assurances for forest landowners, designed to promote the establishment, use, and operation of a NSO conservation bank; other voluntary conservation incentive planning tools; or a programmatic Habitat Conservation Plan, Safe Harbor Agreement, or other federal assurance mechanism.
- The Board adopted new forest practices rules incorporating recent legislative changes to the Forest Practices Act statutes, including:
 - Clarifying how forest practices applications (FPA) are to be classified in Urban Growth Areas;
 - Removing the requirement that FPAs containing lands platted after January 1, 1960 be classified as Class IV-general FPAs; and
 - Expanding the term of FPAs from 2 to 3 years—the first step in implementing 2ESSB 6406.
- The Board approved their 2013 workplan, which included the Policy Committee’s priorities. The Board recognized that the highest priorities for Policy are the HPA/FPA integration and the Adaptive Management Program reform called for in the Settlement Agreement.
 - The Policy Committee discussed whether or not the Board approved Policy Committee’s priorities; it was explained that since the Board did not object, they passively approved them.
 - Additionally, the Policy Committee discussed that even though the Board’s workplan does not include all of Policy’s priorities, the Board will be updated at their quarterly meetings by the Policy liaison.

Forest Practices Habitat Conservation Plan Settlement Agreement

Updates:

- The Policy Committee meeting last met on November 6 on the Settlement Agreement topic and achieved consensus around the edits they made in previous meetings.
- They drafted questions for CMER to respond to regarding the master schedule. Chris Mendoza and Mark Hicks, CMER Co-Chairs, have prepared an email for Policy’s final Settlement Agreement meeting on December 11th.
- At the December 11th meeting, the group will review CMER’s recommendations pertaining to the master schedule. It is anticipated that the entire package will be sent to DNR after the December 11th meeting. DNR will determine what in the Settlement Agreement goes to rule-making and what will go into the Board Manual as updates, in addition to next steps and schedule. This will hopefully be done in time for the Forest Practices Board to review and vote on a CR-101 in February.

- Discussion of the pace of the Settlement Agreement work – some expressed a desire for the work to go quicker, others explained the process is inherently slow because of the various steps such as going to CR-102.
 - Despite the pace, Policy can always decide to begin following one or more components of the agreement before the agreement is finalized.

CMER Update

- The Bull Trout Overlay Study will be presented by the PI at the December 18th CMER meeting.
- Though CMER went through a Lean Process earlier, they are realizing that they need to adapt it as they go along. CMER Co-Chairs will report any changes based on that adaptation at the next Policy meeting.
- CMER is still working on the Findings Report (6 Questions) for the Post-Mortem Report.
- A TAG is working on the use of non-CMER science in CMER processes.
- It will be good for CMER to know if Policy wants the information from the Hard Rock Study in piecemeal or wait to review the whole package.
- Reminder that all Policy members are welcome at any CMER meeting. Policy members can also ask Dawn Hitchens to be added to the CMER email listserv.

Workload Forecast – This forecast is for the first quarter of 2013 only:

- Review Post-Mortem Report and Findings Report (6 Questions)
- Type F Water Typing
- Type N Strategy
- Legislative updates

TFW Ground Rules & Input on how things are working – Bob Wheeler reviewed the summary and recommendations gathered from the interviews that he and Claire Turpel conducted with the caucus leads at the end of November. A written interview summary will be available to members in the future.

The recommendations are:

- Action/Decision log or tracking system with meeting summaries
- Timely meeting summaries
- Time on agenda for members to suggest topics for upcoming meeting(s)
- Review groundrules (update when appropriate)
- Meeting time for caucuses
- Encourage members to work to find solutions to the other's issue(s)
- Create more realistic workload for Policy
- Consider what won't be included in workload
- Keep discussions focused
- Create "parking lot" at meetings
- Enhance Policy – CMER interaction
- Bring up issues at earliest opportunity
- (Re-)Incorporate small landowner caucus, as appropriate with Settlement Agreement
- Include list of subgroups into meeting summaries

Bob Wheeler also reviewed the current ground rules to refresh participants on Policy Committee operating protocols. The ground rules are subject to change with the Settlement Agreement.

Triangle was asked what, if anything, is missing from the ground rules. They suggested that a different “consensus continuum” be included in the groundrules, which would allow for a more realistic picture of how much each Policy member supports or rejects a proposal or decision. They also suggested an appropriately sized paraphrase of the ground rules be visually posted at each Policy meeting.

Triangle reminded the Policy members that if they feel a ground rule is being violated, members should feel comfortable to:

- Talk to Bob or Claire, either at the meeting or after
- Directly approach the person, either at the meeting or after

Next Steps

The Policy Committee next meeting will be on January 3, 2013. Agenda items will include more information from CMER on their Lean Process and updates on the Settlement Agreement process. Members are encouraged to contact the Co-Chairs prior to the state caucus meeting on December 17th (9am) to submit topics to be discussed at the January 3rd meeting.

Meeting adjourned on time.

Attachment 1 – Attendance at 12/6/12 Meeting by Caucus

Conservation Caucus

Mary Scurlock, Conservation Caucus
Peter Goldman, WFLC
Chris Mendoza, Conservation Caucus

County Caucus

Kendra Smith, Skagit County (phone)

Federal Caucus

Marty Acker, NOAA

Landowner Caucus

Peter Heide, WFPA
Doug Hooks, WFPA
Adrian Miller, Longview Timber, Corp. (Co-Chair)
Dick Miller, WFFA

Others

Jim Hotvedt, Adaptive Management Program Administrator (AMPA)
Bob Wheeler, Triangle Associates (facilitation team)
Claire Turpel, Triangle Associates (facilitation team)

State Caucus

Stephen Bernath, Ecology (Co-Chair)
Darin Cramer, DNR
Terry Jackson, WDFW
Marc Engel, DNR
Aaron Everett, DNR (Forest Practices Board Chair)
Mark Hicks, Ecology

Tribal Caucus

Chase Davis, UCUT (phone)
Nancy Sturhan, NWIFC (Alternate, phone)
Mark Mobbs, Quinault Nation

Attachment 2 – Ongoing Priorities Checklist

| Priority | Assignment | Status | Notes |
|--|---|---------------------------------|-------|
| Type N | | | |
| Type F | | | |
| HPA/FPA Integration | | | |
| Settlement Agreement | Stephen Bernath: share draft with full Policy Committee | Final meeting December 11, 2012 | |
| Policy recommendations based on Post-Mortem Report | | | |
| Ongoing CMER reports reviewed by Policy | | | |

*This table is meant to note 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 | January 3, 2013 9am-3pm | |
| CMER | December 18, 2012 9am-12pm | |
| Type N Subgroup | December 20, 2012 9am-12pm | Technical discussion |
| Type F Subgroup | TBD | Technical/Operational Committee Report or Update Due to Policy Subcommittee – December 31, 2012 |
| Settlement Agreement Subgroup | Final meeting: December 11, 2012 1pm-4pm | Final meeting to discuss last changes |
| Forest Practices Board | February 2013 | |