

Forests & Fish Policy Committee
February 7, 2013 Meeting Summary

Decisions and Actions Tracker from Meeting

Decision/Action	Assignment	Due Date	Notes
Approved September 6, 2012 meeting notes			
Approved October 4, 2012 meeting notes			
Approved January 3, 2013 Meeting Summary			Approved with two minor edits
Approved facilitation for dispute resolution process			
Re-share Nancy Sturhan's study of human resource limitations for CMER's Master Schedule	Mark Hicks and Chris Mendoza with Nancy Sturhan	March 7, 2013	
Re-send decisions from the December 11, 2012 final meeting on the Settlement Agreement	Stephen Bernath	March 7, 2013	

Introductions – Adrian Miller and Stephen Bernath, Co-Chairs, welcomed the group and led introductions (*please see Attachment 1 for the list of attendees*).

Agenda – Bob Wheeler reviewed the agenda. Mary McDonald asked to move her legislative update before lunch. There were no other changes.

Acknowledgements/Recognitions – The Co-Chairs presented Pete Heide with a certificate, thanking him for his years of service to the Policy Committee. The Co-Chairs also thanked Darin Cramer for his commitment to the Policy Committee; Mary McDonald accepted in his absence.

New Policy Committee members: Pete Heide introduced Karen Terwilleger as his replacement from the Washington Forest Protection Association. Mary McDonald introduced herself as the interim DNR representative in Darin Cramer's place. Additionally, Aaron Everett will intermittently attend the Policy Committee meetings in his new role of the Chair of the Forest Practices Board.

Telephone & Web-Based Participation – Bob Wheeler reviewed the changes that have happened or are being considered to improve remote participation. All members are encouraged to attend in person as much as possible, but understanding that not everyone can attend every meeting, the facilitation team has made some changes. From now on, the facilitation team will host a Glance session for those remotely participating; as long as remote participants have an Internet connection, they can follow along with this desktop-sharing service. The flipchart notes that Bob writes will also be transcribed on the projector screen and on Glance. Everyone is encouraged to use their new name tents to continue the "card system" of signaling a comment to say. As much as possible, the Policy Committee will aim to have full-day meetings to make traveling to the meetings more worthwhile. The facilitators are working with the

Adaptive Management Program Administrator (AMPA) to continue researching the option to add additional microphones to the current speaker phone to improve audio for participants. Finally, all Policy Committee members are encouraged to report any input they have on improvements for telephone and web-based participation to the facilitators.

Meeting Notes – The Policy Committee approved the September 6, 2012 and the October 4, 2012 meeting notes with no edits. They approved the January 3, 2013 meeting summary with two minor edits on wording.

Type F Dispute Resolution – Bob Wheeler encouraged everyone to express their views and also hear others' perspectives on this issue. Adrian Miller introduced the *Draft Outline to Address the Conservation Caucus's Dispute Resolution Request*, with two general sections addressing the focused Charter discussion as well as the timeframe. The Co-Chairs will report at the Forest Practices Board on February 12th so they encouraged the Policy Committee to agree on an approach moving forward so they could report that to the Board as well.

The group discussed the dispute resolution process, what specifically the dispute is about, and what final product or outcome would signify the completion of the dispute resolution process. They agreed that today, the Policy Committee should outline a timeline and process for the Type F Subgroup to create a Charter, which would then come back to Policy. Policy also approved contracting the facilitators for the additional meetings and in-between work for the Type F meetings focused on creating the Charter.

After a 25-minute caucus recess, the Policy Committee reconvened and had each caucus report back to the group on their concerns and hopes for the dispute resolution process:

- The Federal Caucus is concerned that focusing the current dispute on process leaves open the opportunity for other disputes to be delayed too long. They hope for an opportunity to focus on the Charter's substance and are willing to agree to whatever timeline achieves the best product.
- The Landowner Caucus wants to define what is important in the Charter to be able to move forward with progress on the issues. While they would like to start on this work as soon as possible, they mostly want to establish the timeframe today.
- The State Caucus needs time to devote staff to creating an effective Charter. They will have time to devote a staff member to two or three meetings to focus on Charter discussion, but not until after the Forest Practices Board meeting on May 14th. If there is no agreement by the end of the dispute resolution process, they are interested in going to Stage 2 dispute resolution.
- The Conservation Caucus is looking for clarity on the timeline and the Charter substance.
- The Tribal Caucus is okay with the process developments. The importance to them is to complete the Charter.
- The County Caucus encouraged the group to get to the Charter development, because that is where the important work is.

Bob Wheeler noted that there was basic agreement about setting a timeframe for the process today and that the Charter development is important to complete by the end of the dispute resolution process. Adrian Miller reviewed what should be in the Charter, based on the template outlined in the Board Manual (Section 22, Appendix C). Everyone agreed that they are comfortable giving the assignment to the Co-

Chairs (and the facilitators, at the Co-Chairs' direction) to talk with each caucus representative and other Policy Committee members to understand the objectives and issues they would like to see in the Type F Charter. The facilitators will categorize these objectives and issues into one organized list that the Policy Committee can review at the March meeting.

Timeline: Policy discussed the timeline of the dispute resolution process over the next several months. The group agreed to the following:

Official start date of dispute resolution process: January 3, 2013

February Policy Committee meeting:

Agree on approach, timeframe, and general schedule (*completed*).

Interim:

- At Co-Chairs' direction, facilitators communicate with each caucus to record their list of objectives and issues the Type F Charter should address. Policy Committee members are encouraged to send any objectives and issues to facilitators between the February and March meetings. This list will begin the conversation around scoping the process but will not yet begin the actual discussion of agreement on specific issues to address in the Charter.
- Type F operational/technical subgroup will continue meeting on the outstanding issues from *Draft Implementation Issues Pertaining to Defining F/N Break* until complete or until May. These outstanding issues are:
 - (4) Wetlands connected to Type F streams
 - (8) Off-channel habitat
 - (9) Definition of "defined channel"

March Policy Committee meeting:

- Brainstorm objectives and issues the Charter might address. Use categorized list of objectives and issues that facilitators develop based on input from Policy Committee members between February and March meetings.
- No finalization or decisions yet; list remains open until discussions begin.
- Schedule meetings in May/June to focus on Type F (at least 2, and 1 reserved if needed – after May 14th FPB meeting, probably Thursdays).
- Reschedule July Policy meeting from July 4 to July 11.

April Policy Committee meeting:

- No work on Type F.
- Dedicated to reviewing and considering CMER workplan and budget.

May Policy Committee meeting:

- Establish Type F Group – likely a Policy Committee of the Whole.

- Continued brainstorm of objectives and issues the Charter might address. Use categorized list of objectives and issues that facilitators develop based on input from Policy Committee members between March and May meetings.
- No finalization yet; list remains open until discussions begin.
- Other Policy Committee topics will also be part of May Policy Committee meeting.

May through June:

- Meet with Type F Group – likely a Policy Committee of the Whole.
- Facilitated discussion on Type F Charter. Focus on Charter template sections, including:
 - Membership
 - Purpose
 - Tasks & Responsibilities
 - Deliverables
 - Group Process, Reporting, and Support
 - Adaptive Management Program Ground Rules
 - Timeline (by deliverables)
- Note: Forest Practices Board meets on May 14, after the May Policy Committee meeting.
- At least 2 meetings, plus a third if needed:
 - Mid to end of May, after Forest Practices Board meeting
 - Early to Mid-June
 - End of June, if needed
- If Policy Committee of the Whole, at second or third meeting consider taking action to approve Charter (these will be noted for the public).

June Policy Committee meeting:

- Use part of June Policy Committee meeting for any updates on Type F discussions, including providing guidance, considering recommendations, etc. (Interim check-in with Policy.)

Official end of dispute resolution process: July 3, 2013

Dispute resolution process could be extended only with consensus from every caucus

July 11 Policy Committee meeting:

- Policy Committee discusses and considers Type F proposed Charter if not addressed at Type F Policy Committee meetings.
- Policy Committee takes action on the Charter and discusses specific steps for moving forward, if not addressed and approved at Type F Policy Committee meetings.

The Policy Committee approved this schedule; all caucuses voted in approval except the Conservation Caucus, who voted with a sideways thumb. UCUT noted its sideways thumb but overall supported its caucus representative who voted approvingly.

The group discussed a few extra notes before moving from the Type F dispute resolution process:

- The Charter discussion will include discussion of the Type F workplan.
- The Federal Caucus representative (Marty Acker) will be transitioning from NOAA to USFWS and so will attend the March meeting as a member of the public, not the federal caucus representative. He will rejoin Policy as the federal caucus representative in April as a USFWS employee. He will be available to the Co-Chairs, all Policy Committee members, and the facilitators throughout all this time so he encouraged people to contact him.
- Terry Jackson asked that she continue to work with the operational/technical Type F subgroup to work out the remaining issues, which will inform the Type F Charter.

Legislative Update – Mary McDonald reviewed the legislative bills that relate to the work of the Policy Committee:

- HB 1162 – *Enacting the regulatory fairness act of 2013*
- HB 1163 – *Regarding administrative procedures that promote accountability, transparency, and economic relief*
- HB 1156 – *Consolidating designated forest lands and open space timber lands for ease of administration*
- HB 1223 – *Regarding denials of forest practices applications*
- HB 1236 – *Establishing consistent standards for agency decision making*
- HB 1384 – *Streamlining natural resources management*
- HB 1600 – *Helping to ensure the viability of small forest landowners*

Forest Practices Board: February 12, 2013 Meeting – Marc Engel reviewed the various topics on the agenda for the Forest Practices Board. The Board will:

- Ask for a report on the Clean Water Act Assurances from Ecology.
- Receive an annual status on the Taylor's Checkerspot Butterfly.
- Direct staff to file CR-101 for the rule-making for the Settlement Agreement changes.
- Hear the Policy Committee quarterly update, which will include updates on Type F and Type N.

Forest Practices Hydraulic Project (FPH) Rulemaking & Guidance Update – Marc Engel and Terry Jackson reviewed the components of this update:

- There will be an integration of the fish protection standards into the Forest Practices rules (currently being developed). These should be updated to Policy sometime in March.
- The Board Manual updates are moving forward smoothly.
- The MOA between DNR and WDFW was signed in December 2012.
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Concurrence Rules – WDFW's concurrence rules review procedures are going through the public review period right now. The anticipated date for adoption is April 2013.

Forest Practices Habitat Conservation Plan Settlement Agreement – Marc Engel reviewed the updates for the Settlement Agreement:

- The Board will be asked for their approval of the CR-101 process at their meeting on February 12.
- They are amending Section 22 for the Settlement Agreement.

- In order to fully complete the integration of the fish protection standards, they will need to open four additional Board Manual sections, making a total of five Board Manual sections open for amendment at some point this year. They do not plan to open any others this year.
- Stephen Bernath will re-send the decisions from the December 11, 2012 final meeting on the Settlement Agreement.

LEAN Update – Mark Hicks updated the group on what work CMER has done from their LEAN process:

- CMER has been revising the LEAN process for developing study designs, have put together a Technical Advisory Group, and brought draft revisions to full CMER for review.
- There are still areas out of CMER's control – they need people with more expertise and time available to work on the projects. The Co-Chairs will work to queue this up in the future. Perhaps they can talk with the principals to get more scientists at the table, or hire other Principal Investigators to the CMER staff. They are also considering contracting outside sources for more work.
- One obstacle to starting projects or studies is finding a suitable study site.
- Nancy Sturhan has already worked on the human resource limitations for the Master Schedule. The CMER Co-Chairs will share this with full Policy.

CMER Update – Mark Hicks and Chris Mendoza, CMER Co-Chairs, updated Policy on what CMER has been working on:

- CMER had their monthly science session with Kathy Dube. They will re-sample the Roads Sub-basin study once the RMAPs are finished. One of the CMER studies is on road prescriptions, and they are also looking at what data would help inform the models.
- The Post Mortem 6 Questions have gone out to CMER. The minority opinion authors have submitted their comments, so the process is moving forward to bring the report to Policy. The AMPA noted that all the authors have put in a tremendous amount of time bringing this study to where it is today. Policy thanked the authors for their hard work on study effort.
- The draft CMER workplan is done; Mark Hicks will compile all the comments into the final workplan for approval by full CMER at their February meeting.
- The workplan has a link to adaptive management, but because the Post Mortem study does not have consensus, the CMER Co-Chairs asked Policy if they could leave that study's link blank so the non-consensus will not stall the CMER workplan moving forward. The Policy Committee agreed that they are fine with the CMER Co-Chairs leaving this link blank right now though they also noted that the CMER Co-Chairs do not need Policy's approval to do this.
- At the February meeting, CMER will approve their budget which will come to Policy at the April meeting. Policy discussed the importance of having CMER's Master Schedule and budget in sync with one another.

Next Steps – The Policy Committee reviewed the agenda items to discuss at their upcoming meetings:

- Type F brainstorm of objectives/issues for Charter; set dates for meetings in May, June, July
- Legislative update
- CMER update

- Report on Forest Practices Board February 12, 2013 meeting
- More refined workplan for Policy (Co-Chairs to work with AMPA)
- FPA/HPA integration update
- Post-Mortem Study (review of 6 Questions and other Findings Report Package documents)
- Include facilitation budget at annual budget meeting discussion

Attachment 1 – Attendance at 2/7/13 Meeting by Caucus

Conservation Caucus

Mary Scurlock, Conservation Caucus
Chris Mendoza, Conservation Caucus

County Caucus

Kendra Smith, Skagit County

Federal Caucus

Marty Acker, NOAA
Dave Powers, EPA (phone)

Landowner Caucus

Kevin Godbout, Weyerhaeuser
Peter Heide, WFPA
Doug Hooks, WFPA
Adrian Miller, Longview Timber, Corp. (Co-Chair)
Dick Miller, WFFA
Tom Nelson, Sierra Pacific Industries

Karen Terwilleger, WFPA

State Caucus

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

Tribal Caucus

Chase Davis, UCUT (phone)
Marc Gauthier, UCUT
Mark Mobbs, Quinault Nation
Jim Peters, NWIFC
Nancy Sturhan, NWIFC (phone)
Curt Veldhuisen, Skagit River System Cooperative

Others

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

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status	Notes
Type N	Type N Policy Subgroup	One remaining issue to resolve: determination of uppermost Type N break, particularly during the wet season.	Strategy Subgroup approved Summary Document at their February 7, 2013 meeting.
Type F	Facilitation team, with Policy Co-Chairs	Facilitation team, at Policy Co-Chairs' direction, to communicate with Policy members between the February and March meetings to understand objectives and issues that each caucus would like to see on the Type F Subgroup Charter.	Policy agreed to the dispute resolution schedule at February 7, 2013 meeting.
HPA/FPA Integration		Begin CR-101 process, pending Board decision	
Settlement Agreement		Begin CR-101 process, pending Board decision	
Policy recommendations based on Post-Mortem Report		Waiting for the Findings Report Package to come to Policy	
Ongoing CMER reports reviewed by Policy	Mark Hicks & Chris Mendoza, CMER Co-Chairs	CMER Co-Chairs to give update(s), if needed, at Policy's March meeting	

*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	March 7	
CMER	February 26	
Type N Subgroup		
Type F Subgroup	March 7 Policy Committee meeting	Brainstorm objectives/issues for Charter
Forest Practices Board	February 12	

Attachment 4 –Parking Lot & Ongoing Issues

- LEAN Process – consider how to increase efficiency and speed up timeline
- 2-year budget and workplan – consider for 2015-2017 biennium