

Forests & Fish Policy Committee
 October 3, 2013 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Accepted September 5, 2013 meeting summary with edits.	Agreement by all caucuses present
2. January Policy meeting = January 9, 2014.	Agreement by all caucuses present
3. Delayed decision until November meeting for whether or not to implement AMP review of revised HPA rules.	Agreement by all caucuses present
4. Encouraged Type F writing group to continue drafting Objectives and Tasks for Type F Charter and bring together all areas of agreement and areas of difficulty to full Policy at a later date.	Agreement by all caucuses present

Action	Assignment
1. Make Geomorphology article by Kara Whittaker and Dan McShane available again to Policy members.	Kara Whittaker through Marc Ratcliff
2. Convene DNR, industry, and conservation caucuses with meetings open to all Policy to discuss specifics for proposed new project for Unstable Slopes Rule Group.	Adrian Miller, with caucus leads
3. Send specific questions on WDFW's HPA code revision to Terry Jackson by October 11, 2013.	Policy Committee
4. Prepare WDFW answers to Policy's questions on HPA code revision, for November meeting.	Terry Jackson
5. Draft Co-Chairs' quarterly Board memo, circulate to caucus leads by October 8 th , edits back to DNR by October 10 th and submittal to Board packet by October 11 th .	DNR and Policy Committee caucus leads
6. Revise September 5, 2013 meeting summary based on edits and draft October 3, 2013 meeting summary.	Claire Turpel

Welcome & Introductions – Stephen Bernath and Adrian Miller, Policy Committee Co-Chairs, welcomed the group and led introductions (*see Attachment 1 for a list of participants*). Bob Wheeler, facilitator, reviewed the agenda for the day's meeting.

Announcements – It was suggested that the Policy Committee (Policy) hear an update on the Road Maintenance & Abandonment Plan (RMAP) status, particularly of the extensions, at the November meeting. The first RMAP compliance period has begun.

At their August meeting, the Forest Practices Board (Board) adopted the Adaptive Management Program (AMP) reform rule as well as approved the changes to Board Manual Section 22. The changes become effective on October 19, 2013, including the change from six to nine caucuses at Policy.

September 5, 2013 draft meeting summary – Edits were suggested from two caucuses to clarify sections and to correct language. The Policy Committee accepted the draft meeting summary as final, with the discussed changes.

January meeting date – The Policy Committee agreed to meet in January 2014 on the 9th instead of the 2nd. The remaining 2014 meeting dates will be the first Thursday of every month, at the Department of Ecology.

Mass Wasting

The first half of this meeting focused on sharing information and outlining next steps for Mass Wasting, based on the outcome of the Post Mortem report. Before Policy discussed next steps, several presentations were made.

An Overview of Landowners' Approach to Risk Management Associated with Slope Stability

Ted Turner, Julie Dieu, and Mark Ferry presented on behalf of timber industry s about their approach to managing risk on unstable slopes (*see PowerPoint*). Main points included:

- The companies are concerned about getting Forest Practices Applications (FPAs) accepted and equally concerned about reducing landslides.
- Companies screen for landslides in advance of operations by looking at steepness and recent landslide activity in and around proposed activity.
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- Photos and LiDAR can help find problem areas, but only to a point. Walking the road and unit (“field reconnaissance”) is the most useful way to understand slopes.
- Consulting Qualified Experts (QEs) are occasionally brought in to do geotechnical evaluations and are sanctioned by the Department of Natural Resources (DNR).
- Geotechnical review is a team approach with technical specialists and on-the-ground layout personnel.

After the presentation, Policy asked questions and the discussion included:

- Weyerhaeuser has purchased more LiDAR, but not for their entire Washington ownership. The LiDAR data is not provided directly to DNR, but their FDA indicates whether or not they used LiDAR.
- Avoiding harvest and roads on unstable slopes is the most common mitigation method by timber companies. If they are unable to avoid an area and need to cut some trees for yarding corridors, they consider how to minimize impacts..
- Need to create guidance (maybe through a Board Manual) for how to assess sensitivity of deep-seated landslides when designing harvest units.
- Category E (per WAC 222-16-050 (1)(d)(i)) can allow regulation of unstable terrain that doesn't fit the standard Rule-Identified Landforms (RILs), such as headscarps.

Science-Based Policy Recommendations for Steep and Unstable Slopes on Private Forests in Washington State

Kara Whittaker, from the Conservation Caucus, discussed science-based policy on steep and unstable slopes (*see PowerPoint*). Their caucus is mostly interested in decreasing landsliding caused by forest practices toward natural background rates. Main points included:

- Considering landslide density is important to determine effectiveness of FP rules. Landslide density is significantly higher in high hazard areas (as mapped by SLPSTAB and HAZONE; Whittaker & McShane 2012).
- Better characterization is needed for unstable terrain not presently included among -RILs, and the RIL definition may need to be revised accordingly.
- The ambiguity of Category E leads to concern about whether it is used appropriately.
- The widespread harvest of RIL under the current FP Rules identified in the Post Mortem report must be addressed.
- Recommendations included:
 - Add a Class III-Special FPA classification for forest practices proposed within high hazard zones, which would not invoke SEPA but would require field review of high hazard slopes.
 - Revise the FPA checklist to improve documentation of field review of slope-related FPAs: Who went in the field? What are his/her credentials? What extent of the area in and outside of the proposed harvest unit/road prism was surveyed? Did he/she find RILs? What is the probability of delivery and the method used to estimate it? What mitigation was applied to RILs?
 - Develop a LiDAR-based screening tool for FPA screening in western Washington
 - Conduct a characterization of non-RIL landslides as described in Post Mortem study, App. B.3
 - Create specific guidance in the Rules or Board Manual for consistent and reliable evaluation of delivery potential based on the Best Available Science Lower minimum slope criteria to 60% for RIL
 - Require Qualified Expert field review of forest practices proposed on any slope steeper than 80%
 - Look closely at planar slopes during field evaluation to identify instability
 - Initiate the DNR portion (i.e. delineation aspect) of “Accuracy and Bias Study” to examine the degree to which foresters are correctly and uniformly identifying and treating RIL
 - Investigate the consistency between harvest boundaries approved in FPAs and actual harvest in compliance monitoring program

After the presentation, Policy asked questions and the discussion included:

- There are multiple methods to assess potential hillslope instability. A common tool used is DNR’s SHALSTAB.
- Some underlying landslide data were acquired during the pre-RMAP era, so road landslide rates have probably improved since that data was acquired.

CMER/Policy Discussion

Many CMER members were present for a discussion with the Policy Committee about the Unstable Slopes Rule Group from the CMER workplan. Main points included:

- There are four “programs” within the Unstable Slopes Rule Group, and studies have been skeletally scoped to address the questions within each program.
- All rule groups include a cumulative effect validation portion (i.e. resource effects), but there has not been much scoping work done to date because it is challenging research and requires coordinated involvement of all SAGs.
- CMER/UPSAG focused past efforts on developing screening tools.
- Expanding LiDAR coverage should be considered, and we should think about how much to focus on screening tools based on older technologies (i.e. lower-resolution DEMs).
- DNR has a Sharepoint site where they make materials available from the review of all FPAs related to unstable slopes.
- Greg Stewart shared his perspectives on the best use of CMER research funds to improve environmental protection on unstable slopes. His main point is that CMER shouldn't pursue studies that are likely to produce conflict and/or incremental rule changes..
- Julie Dieu and Greg Stewart suggested an alternative approach for improving detection and evaluation of unstable slopes that requires LiDAR imagery for all western Washington. First, this would be useful for landowners and reviewers to assist in screening. Second, each new landslide can be added to create a map that includes real data of where the landslides are happening and associated slope characteristics. This would facilitate evaluation of rule effectiveness and whether RIL definitions are working.
 - This value of this idea was generally accepted, with one suggestion that the impacts upon fish and water also be incorporated into the study.
 - Julie and Greg feel that this approach would be more useful than finishing the hazard zonation project, begun a while ago.
 - Better for UPSAG to focus on one project at a time, and this LiDAR approach could produce both screening and monitoring benefits.
- Need for Upslope Processes Science Advisory Group (UPSAG) to re-convene to address emerging issues.

Next Steps

To develop a draft set of policy recommendations in response to the Post Mortem Study, Adrian Miller will convene the landowner, conservation, and DNR caucuses, though anyone else is invited. This group will work on a joint proposal to discuss at the November Policy meeting, which can be verbally reported to the Board a week later at the November Board meeting.

Hydraulic Code Revision

Washington Department of Fish & Wildlife (WDFW) formally submitted a request to the Adaptive Management Program Administrator (AMPA) for Policy to consider implementing AMP review on WDFW's Version 4 of the hydraulic code. After a brief introduction by the AMPA, Policy discussed:

- The main question for Policy is to determine whether the AMP review would provide added benefit to the rule-making process being conducted by WDFW. If Policy implements the AMP review through Appendix M, they would develop a report of recommendations by February 15,

2014. The rules will then go through the CR-102 process before going to the Fish & Wildlife Commission for rule adoption.

- The AMPA's recommendation is that Policy implements the AMP review and chooses a limited set of issues on which to focus. Under this recommendation, Policy could choose to produce a majority/minority report.
- Policy discussed the added strain this topic would have on their current workload. This might require pausing one of the workload priorities until after February 2014.
- Policy can agree to produce a majority/minority report instead of seeking 100% consensus.
- If Policy decides not to implement AMP review, the rules will go through WDFW's rulemaking process. During WDFW's rule-making process, Policy stakeholders continue to have the opportunity to provide input to WDFW.

After deliberations, the Policy Committee decided to:

- Delay deciding on whether or not to implement AMP review until the November meeting.
- Submit any Policy Committee caucus questions to Terry Jackson by October 11, 2013, discussed with WDFW technical experts at the November meeting.

Policy Committee Co-Chairs' Memo to the Forest Practices Board

A preliminary draft has been produced for the Board, which includes status updates on Policy's current workload. The Co-Chairs will send the draft to caucus leads by Tuesday, October 8, and they have until Thursday, October 10 to provide edits. The memo will be included in the packet to the Board (deadline = October 11).

CMER Presentation on Extensive Status & Trends, 10/22/13

Representatives from WDFW, University of Washington, Bureau of Land Management, and US Geological Survey will focus on the use of LiDAR for doing riparian resource assessments. Mark Hicks will send an agenda to Policy once it has been produced. All caucuses are encouraged to have at least one Policy representative attend this presentation, which will probably take the morning portion of the regular CMER meeting on October 22nd. If the federal government is still shut down, Mark will inform Policy of rescheduling plans.

Other CMER updates:

- CMER has begun to review the hard rock study, which is a huge effort. The chapters are coming in one by one, and the study will probably total 300 pages or more.
- The Wetland Literature Synthesis is close to finalization. They have produced a contract amendment to have the same contractor work with WETSAG to develop a wetland research strategy.
- The Bulltrout Overlay Shade Temperature Study has gone through ISPR, and now the technical review group is considering how to incorporate ISPR comments into the final report.

Type F Update

The mediator has been hired and has met with many of the caucuses, with plans to meet with every caucus. The first mediation session will be October 24 and/or 25.

The writing group has been working on Objectives & Tasks for the four categories. They are close to agreement on the model & maps section, and have just begun the electrofishing/protocol surveys/physical criteria category. The rule & guidance category may get incorporated into the other categories. The off-channel habitat category is close to being complete, but some challenging issues remain; therefore the group has set this category aside while focusing on other categories.

The writing group has put in huge effort to work on these issues, and much more time is needed to finish this effort properly. With the mediation beginning, they wonder how much time to put into the writing effort. Policy encouraged the writing group to keep working as schedules allow, and when ready to provide Policy with a package of where they have agreement and where they do not.

Type N Update

The analysis of CMER/tribal data on the Uppermost Point of Perennial Flow is in final stages, which includes new data from the Eastside Type N Hydrology Study. Once Mark Hicks hears back from everyone in the Type N Technical Subgroup, it will go to the Type N Policy Subgroup for review, and then it will be forwarded to full Policy for the December or January meetings.

The landowner caucus hopes to have the FPA data ready to share soon.

Forest & Fish Support Account (FFSA) Update

Jim Hotvedt provided Policy with a hard copy of a recent summary of the FFSA and went through various points, including:

- In the past few years, DNR has paid for more DNR Administration of Program out of general funds instead of from the FFSA.
- These budget numbers are used when the AMPA provides CMER & Policy with the budget for the next year.
- The tribes have still not received their participation grants.
- The conservation caucus has concerns about the timing of decision-making.
- Within the past two years, the Office of Financial Management replaced general fund money with FFSA. This decision was made outside the Adaptive Management Program.

Topics for November Meeting

- Consider facilitation contract for 2014.
- It was requested that the Type N Eastside study be shared with caucus leads as soon as possible so they can share with their caucuses.
- Policy will consider the prioritization document from the Co-Chairs at the next meeting. The prioritization diagram will be sent out with the October meeting summary.
- AMP reform rulemaking implementation
- Mass Wasting

The meeting adjourned at 4:40 pm.

Attachment 1 – Attendance at 10/3/13 Meeting by Caucus

Conservation Caucus

Peter Goldman, Washington Forest Law Center
Dan McShane
Chris Mendoza
Mary Scurlock
Kara Whittaker, WFLC

County Caucus

Laura Merrill, Washington State Association of
Counties

Federal Caucus

(Federal shutdown)

Landowner Caucus

Doug Hooks, Washington Forest Protection
Association
Adrian Miller, Olympia Resource Mgmt (Co-
Chair)
Dick Miller, Washington Farm Forestry
Association
Karen Terwilleger, WFPA

Others

Seth Barnes, DNR
Julie Dieu, Rayonier
Mark Ferry, Hancock Timber Resource Group
Jim Hotvedt, Adaptive Management Program Administrator
Leslie Lingley, DNR
Greg Stewart, CMER
Ted Turner, Weyerhaeuser
Claire Turpel, Triangle Associates (facilitation team)
Bob Wheeler, Triangle Associates (facilitation team)

State Caucus

Stephen Bernath, Ecology (Co-Chair)
Marc Engel, DNR
Chris Hanlon-Meyer, DNR
Mark Hicks, Ecology
Terry Jackson, WDFW
Donelle Mahan, DNR
Marc Ratcliff, DNR

Tribal Caucus

Todd Baldwin, Colville Tribe (phone)
Chase Davis, Upper Columbia United Tribes
(phone)
Marc Gauthier, UCUT (phone)
Jim Peters, Northwest Indian Fisheries
Commission
Nancy Sturhan, NWIFC
Curt Veldhuisen, Skagit River System
Cooperative

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
Type N	Type N technical subgroup	Will schedule meeting once data analysis of eastside data is complete.
Type F	Policy Committee	Mediation on shared risk and fish habitat ongoing; writing on Objectives & Tasks ongoing.
FPHP Integration		The Board adopted the integrated rules and approved the FPHP Board Manual. The rules will become effective on December 30, 2013.
Adaptive Mgmt Program Reform Rule Changes	DNR	Accepted by Board at August meeting, CR-103 process initiated. Will implement changes, likely at November Policy meeting.
Mass Wasting Report Findings Package	Policy	Charter developed; meetings and presentations being scheduled.
Ongoing CMER reports reviewed by Policy	Mark Hicks & Chris Mendoza, CMER Co-Chairs	CMER Co-Chairs to give update(s) as needed at Policy meetings; AMPA to give quarterly reports for when CMER studies to come to 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.

Additionally, the WDFW HPA code revision is in progress. Policy will consider whether or not to implement AMP review at the November 2013 meeting.

Attachment 3 – Entities, Groups, or Subgroups: Schedule and Notes

Entity, Group, or Subgroup	Next Meeting Date	Notes
Forests & Fish Policy Committee	November 7	
CMER	October 22	
Type N Subgroup		To be scheduled
Type F Subcommittee of the Whole	October 24 & 25 for first mediation session	Writing group to be scheduled, TBD
Forest Practices Board	November 12	