

Timber, Fish, & Wildlife Policy Committee  
August 6 & 7, 2014 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Update the MPS to include notes on projects that are linked to projects on the Hold list.	Agreement by all caucuses
2. Various initial agreements on the remaining projects on the MPS that did not already have Policy agreement ( <i>see pages 4-7</i> ).	Agreement by all caucuses
3. Accepted May 1, 2014; June 5, 2014; and July 9 & 10, 2014 meeting summaries with edits.	Agreement by all caucuses
4. Approved the Master Project Schedule with the caveat about the Van Dykes Salamander Project.	Agreement by all caucuses

Action	Assignment
1. Clarify the alternative proposal on extensive monitoring so that it is clearer to RSAG what Policy is asking.	Policy Co-Chairs
2. Update the Master Project Schedule and appendix, send to the Board by COB 8/8/14.	Policy Co-Chairs
3. Draft a cover memo to the Board outlining comments on the Master Project Schedule, send to the Board by COB 8/8/14.	Policy Co-Chairs
4. Once ready, circulate the AMPA job announcement.	Policy caucus representatives
5. Clarify what the “with or without in-kind support” note meant in WDFW’s follow-up memo dated August 7, 2014 on Fish Passage Effectiveness Monitoring.	WDFW
6. Draft August 6 & 7, 2014 meeting summaries.	Claire Turpel

-----**Day 1: Wednesday, August 6, 2014**-----

**Welcome & Introductions** – Stephen Bernath and Adrian Miller, Co-Chairs of the Timber, Fish, & Wildlife Policy Committee (Policy), led introductions (*please see Attachment 1 for a list of attendees*). They reviewed the agenda for the first day of the two-day August meeting; the focus for the first day is evaluating the remaining projects yet to be decided on the Master Project Schedule (MPS). The goal is for Policy to finalize the MPS for the Board, which will review and approve it at their 2-hour meeting on Tuesday, August 12.

## **Master Project Schedule**

### **Extensive Monitoring**

Policy met briefly on July 28<sup>th</sup> to discuss extensive monitoring. There had been multiple extensive monitoring projects on the MPS and one caucus had proposed an alternative that would reduce the extensive monitoring budget drastically while still allowing a pilot project for using remote sensing to assess vegetation characteristics and trends. Policy agreed at that meeting that they preferred this alternative, and would need the Riparian Scientific Advisory Group's (RSAG) help in further developing the pilot project.

- Policy discussed the need to clarify the proposal so that RSAG knew how Policy wanted to develop the pilot. The Policy Co-Chairs will work to clarify this.
- This pilot budgets for \$100,000 in years 2016, 2017, 2018, and 2019 for a total of \$400,000.

### **Overview of the Master Project Schedule (MPS)**

- The MPS is a planning tool that Policy and the Board can use to forecast budgeting and CMER project sequencing. There is also a companion document that notes which projects Policy has removed due to completion or another reason, as well as those on the Hold list that are pending results from another project or need further discussion/action.
- Throughout the process of revising the MPS, Policy has assumed that the budgeting levels are based on the legislative proposal from the 2014 legislative session.
- Since the legislature only approves funding for a biennium, this MPS will continue to evolve over time as priorities shift and new information comes to light. Policy will review the MPS every two years as they approve the biennial budget; right now the only year that has an approved budget is FY15. Each biennium, Policy can choose to move a project off the MPS, move a project onto the MPS from the Hold list, or move a new project onto the MPS.
- The MPS can also serve as tool for the AMP to measure progress from the 2012 settlement agreement.
- One caucus noted that the iterative nature of the MPS is important because they are interested in seeing more fish-related work. They recognize that more fish-related projects will likely result from the discussions on Type F, and assume that once Policy can return to those discussions. The existing MPS is acceptable to this caucus in part because new projects may be identified for the MPS.
- The Hold list identifies projects that Policy chooses not to fund in the near term, either because they are pending the results of another project or need more discussion/action by Policy. Each project on the Hold list notes which project(s) it is related to. One caucus suggested that the projects on the MPS should also note if they are linked to a project on the Hold list, as a feedback loop. Other caucuses agreed that would be helpful.

**Fish Passage Effectiveness Monitoring** – Terry Jackson, Timothy Quinn, and Kirk Krueger from the Washington Department of Fish & Wildlife (WDFW) presented their proposal to Policy about a project on fish passage effectiveness monitoring. This project has not yet been added to the MPS with an associated budget. The immediate questions for Policy are: (1) is WDFW's proposal for assessing the effectiveness of fish passage through stream crossings a priority? and (2) if it is a priority, should we establish a budget placeholder on the MPS?

### *Overview*

- WDFW conducts a Hydraulic Projects Approval (HPA) adaptive management program, which includes fish passage effectiveness monitoring. When WDFW issued HPAs, they included forest lands in their monitoring sample. However after FPHP integration, the Department of Natural Resources (DNR) became the state agency with authority over forest practices hydraulic projects on forest lands (in conjunction with the Forest Practice Application). WDFW no longer issues HPAs on forest lands. If Policy is interested in having information about fish passage effectiveness on forest lands, there would need to be more capacity available for WDFW to monitor those areas.
- WDFW's proposal is to use funding from the AMP for additional monitoring to cover forest lands, using randomly selected FPA-permitted projects.
- Since WDFW no longer issues HPAs on forest lands, there are anticipated logistical challenges related to WDFW's receiving timely notification on completed projects by applicants or DNR, specific details of approved designs and plans by DNR, and access to sites for monitoring. These logistics will need to be addressed by DNR to meet the monitoring needs agreed to by the two agencies, and CMER (if and as determined by Policy).
- WDFW is committed to using the results of this monitoring for making improvements to their HPA program, with the goal of improving implementation (permitting processes and compliance) and effectiveness for water crossing structures designed to provide fish passage, and to increase the likelihood that such structures will continue to provide fish passage for the life of the structure.
- In a previous WDFW fish passage effectiveness study, results indicated that there was about a 30% failure rate of fish passage structures in the sites sampled in western Washington. Many of these failures were likely due to process errors that can be corrected relatively easily. WDFW is concerned about this 30% failure rate, and future monitoring to include an adequate sample on forest lands would provide important information on how well water crossing structures on forest lands are meeting state standards for fish passage, and could also identify some sources of failure that could facilitate adaptive management.
- WDFW identified a range of questions to ask about fish passage structures, but the fundamental question from their perspective is to understand how water crossing structures are meeting standards for fish passage through time. WDFW currently uses the Level A/B criteria when assessing structures for fish passage. This criterion is considered a low standard that all current designs should meet. It provides a consistent statewide measure for assessing whether or not road crossings are providing fish passage through time, and facilitates improvement of the process of selecting and installing structures via adaptive management.

### *Discussion*

- WDFW uses information from measurements of hydrology, slope, bankfull width, water velocities, type of river system, etc.
- In the first year of WDFW's fish passage effectiveness monitoring, 5 of the 48 culverts they assessed were on forest land. All five passed Level A criteria and complied with conditions in the associated Hydraulic Permits, but two did not meet WDFW recommended design guidance for culvert width.

- In order to make reliable inference to the effectiveness of stream crossings on forest lands, WDFW would propose to monitor additional crossings on forest lands, rather than assume a similarly high failure rate.
- WDFW's program currently monitors about 50 culverts a year across all land ownerships, which costs approximately \$130,000 annually. Fifty (50) sample sites is considered to be the standard baseline for adequate statistical power.
  - Policy discussed the potential for assessing fewer than 50 culverts each year, and whether that would reduce the cost. WDFW explained that it could reduce the cost in the first few years as the program gains momentum, but it would plateau quickly and stay at the full cost for many years in the future.
  - Subsequently, WDFW adapted a sampling plan to more directly address the questions and budgeting constraints apparent to this program. That plan includes sampling approximately 50 crossings each year for 10 years, with resampling beginning only in year 6. This would maximize spatial coverage and keep costs stable. While 50 samples may be considered baseline, increasing sample size nearly always improves the precision of the estimates.
- WDFW first drafted their study design over two years ago, when their program was tasked with creating an adaptive management component of the HPA program. They shared the study design with their internal and regional staff, and other stakeholders. WDFW would welcome working collaboratively with a multi-stakeholder group such as CMER or a science review panel on further development of their plan or to improve their study design.
- Several caucuses expressed concern about the 30% failure rate, though also recognized that with a small sample size in western Washington it is still hard to ascertain what the failure rate is across all statewide forested lands.
- Several caucuses noted that if Policy identifies this as a need for AMP funding, the study design should go through the CMER process including study design review, development of alternative approaches, and independent scientific review process. It was noted that if CMER is involved, Policy should provide clear direction to CMER.
- One caucus suggested that since this study design does not relate directly to forestry or fish passage directly (i.e., directly measuring fish through culverts), it does not answer the right questions.
- Policy discussed whether part of this study would be compliance monitoring. The first site visit includes a compliance/implementation component, but this study also includes evaluation of fish passage (via Level A) over time which is considered by WDFW to be effectiveness monitoring. There is a possibility that DNR could participate in the first check as the responsible agency for forest practices compliance monitoring, but that would take extra coordination. WDFW and DNR do compliance monitoring slightly differently from one another; their focus is on different aspects.

Policy continued this discussion on Day 2.

- The Co-Chairs proposed to add this to the Hold list pending further discussion with CMER at some level. This would not assign the project to CMER, but rather use that body as a sounding board for further developing the project.

- It was noted that before the study design goes to CMER for development, Policy would need further discussions to clarify how they are asking CMER to develop the study design.
- Policy asked WDFW to clarify what the “with or without in-kind support” meant in their follow-up memo dated August 7, 2014.
- Policy agreed to put this on the Hold list, pending further discussions by Policy.
  - In order to have more discussion on this, Policy agreed to convene a subgroup. The goal will be to have a proposal to full Policy by the February 2015 Policy meeting, so it can be incorporated in the budgeting process in spring 2015.

**MPS: Remaining Projects to Retain/Remove/Hold**

Extensive Fish Passage Trend Monitoring – Policy agreed to move this project to the Hold list, pending a report back from the state caucus after they convene a workgroup with interested stakeholders.

This project would identify the current status of fish passage and the trend for how fish passage barriers are being addressed over time. WDFW was contracted through CMER/ISAG to develop a study design, which was approved by ISAG, but was never approved by Policy due to budget constraints and the fact that small forest landowners were not addressed.

- The question for Policy to decide is if the information collected on RMAPs is enough to answer this question.
- Initially, all landowners were meant to complete RMAPs, but in 2003 that changed so that only industrial timber landowners were required to do so. Therefore, the information from RMAPs may have good data from the industrial timber landowners, but not from small forest landowners. DNR estimates that small landowners own nearly as much if not more acreage than large landowners, meaning that RMAPs would not give enough data for the statewide landscape. Several caucuses noted that it would make sense for the state to work on this because it is more about implementation than effectiveness monitoring.
- The state caucus suggested convening a workgroup that would invite all interested stakeholders to participate in figuring out how to access the information for small forest landowners. While the state is constrained for capacity, they understand the need for this information.
  - In addition to participating in this proposed workgroup, DNR is currently doing things that would help in this effort, such as requesting capital assistance for the Family Forest Fish Passage Program, having a roads component in their stewardship program, and asking NRCS to have funding through their Equip program for dealing with runoff.

Wetlands Mitigation Effectiveness – Policy agreed to move this to the Hold list, pending the development of the wetlands research strategy. Additionally, Policy agreed to move the Wetlands/Roads Interaction study onto the Hold list for the same reason, since both projects are related.

Riparian Hardwood Conversion – Policy agreed to keep the 2016 resample in the MPS for assessing the ability of the landowners to be successful with conifer regeneration to the stage of free-to-grow. While several caucuses supported the resample, four caucuses were willing to go along with the resample due to the low budget.

Eastern Washington Riparian Assessment Program – Forest Health Modeling – Policy agreed to put this on the Hold list pending the outcome of SAGE’s discussion.

The EWRAP study is going through the final stages of CMER review. SAGE will use the initial EWRAP report as the basis for determining if they recommend the final step of health modeling. While some caucuses supported that, other caucuses noted that the eastside has learned all they could from this study and the health modeling is unnecessary.

Eastside Type N Riparian Effectiveness – Dry and Perennial

Policy agreed to retain this project as it is outlined in the MPS (as separate components). One caucus noted that if at all possible, those working on the studies are encouraged to look for integration possibilities (and therefore cost reduction).

Road Sub-Basin-Scale Effectiveness Monitoring - Resample

Policy agreed to move the resample to the year 2022.

It was suggested that this resample be broken into two years to help mitigate the bump in the budget. One caucus suggested that the resample start in 2022 instead of 2023, closer to the date that RMAPs are complete.

Type F Experimental Buffer Treatment

Policy agreed to move this to the Hold list.

One caucus mentioned that this could be a duplication of the work on the Type F Prescription-Scale Effectiveness study, so Policy will wait for information from that study before moving on the Experimental Buffer Treatment study.

Pathways of Riparian Stand Development to Maturity

Policy agreed to put this on the Hold list pending the outcomes of the Type F Prescription-Scale Effectiveness study.

Type F Performance Target Validation

Policy agreed to put this on the Hold list pending the outcomes of the Type F Prescription-Scale Effectiveness study.

Van Dykes Salamander Project

This project is in three Phases: \$56,000 in FY15 (which has already been approved), and \$47,000 for FY16 for Phase I. Phase II would have \$237,000 in FY19 and \$103,000 in FY20, and Phase III would have \$266,000 in FY2021 and \$103,000 in FY2022.

- Policy agreed that Phases II and III are dependent upon the results of Phase I, which is primarily a literature review.
- The break between Phases I and II is intentional; it was encouraged by the study designers. While they welcomed the break between Phases I and II, they encouraged Policy to keep Phases II and III close together (assuming that Phase I recommends going forward).
- One caucus does not support doing more species-specific studies on amphibians until more information is available from current studies.
- Some caucuses expressed concern that if Phases II and III were moved to the Hold list, it would be harder to move Phases II and III back to the MPS if Phase I recommended moving forward.

Other caucuses expressed concern for keeping Phases II and III on the MPS if it is uncertain that they will be done, which will be determined at the end of Phase I.

Policy continued this discussion on Day 2.

- Several caucuses noted their interest in this study, and other caucuses encouraged Policy not to put something on the MPS that may not happen (such as Phases II and III).
- Since all of Policy agreed to put Phase I on the MPS, that was retained. There was no agreement whether Phases II and III should remain on the MPS or move to the Hold list.
- Since there was no consensus on where to place Phases II and III, the Co-Chairs indicated that they will retain the Phase II and III budget numbers in the MPS, and highlight to the Board that this does not have consensus.

Strategy for MPS – Policy discussed the strategy for using and communicating the MPS:

- Putting projects that Policy is uncertain about out in time could help forecast budget numbers.
- Using the MPS all throughout the year can help Policy identify where there are cost-savings and Policy could re-evaluate mid-year if priorities shift.
- One caucus encouraged Policy to overestimate, if possible, so that the AMP will always come in under budget.
- Other caucuses noted that the average funding from the legislative proposal was \$3.9 million/year.
- One caucus put together a bar chart showing how much budget would be needed over the lifetime of the MPS. This could be used as a visual tool when the Co-Chairs present the MPS to the Board. Part of that message is that the AMP capacity is maxed out for at least the next 15 years, then it appears that there will be capacity to do more work.
- Policy discussed that the conversation about having more budget available for the AMP is best suited for the caucus principals.

Rule Groups in the MPS – Policy agreed that doing comprehensive reviews of rule groups helps identify priorities. It was noted that this exercise is best done after Policy establishes the criteria for going through a rule group and prioritizing projects.

The Co-Chairs adjourned the meeting at 4:00 pm.

-----**Day 2: Thursday, August 7, 2014**-----

**Roads Prescription-Scale Effectiveness Study** – Julie Dieu and Amy Kurtenbach presented to Policy on the progress of this TWIG. The revised TWIG process has the TWIG seek approval from CMER and Policy in two steps: the first is for the problem statement, objectives, and critical questions, and the second step is for the study design alternatives and best available science. This is the first step; the TWIG will ask Policy to make a decision on approving the problem statement, objectives, and critical questions at the September Policy meeting.

This TWIG is unique since most of the members are from outside the CMER process. In addition to Julie and Amy, TWIG members include: Charlie Luce, USDA Forest Service in Idaho and a roads best management practice (BMP) researcher; Erkan Istanbuloglu, professor of hydrology and hydrodynamics at the University of Washington; and Bob Danehy, National Council for Air and Stream Improvement (NCASI). Since many of the TWIG members are from outside CMER, the hope is to keep the momentum moving forward so they remain engaged.

The TWIG is focused on the fact that there are individual BMPs that have been studied throughout the years, but it is unknown how well or not they interact. It is assumed that combining BMPs is the right thing to do, but this project will test that.

#### *Discussion*

- There are lots of roads BMPs, but this TWIG will focus on the most common ones that can be parameterized. There may be a step in the study design that involves polling road engineers across the state to learn the most common BMPs, because the idea of this project is to study the most commonly used BMPs.
- There was support for studying a combination of BMPs because that is increasingly becoming the rule rather than the exception.
- The project will focus on getting back to the natural background of stream turbidity.
- The project will help understand how the BMPs perform against water quality standards, but not how they achieve broader performance targets (that would be sub-basin monitoring).
- An example of the critical question about hydrologic impacts would be “big catch basins in the catch line may limit the effects you expect from peak flow impacts”. The TWIG notes that this project is not a mass wasting project but that some work identified in this project would certainly affect mass wasting.
- Policy asked that the TWIG consider two additional points:
  - Identify the costs for each treatment, though it was noted that the costs will be estimates since it depends upon where the landowner is located and other specifics. The TWIG will also track maintenance costs.
  - Downstream effects, though since that could get prohibitively expensive, the TWIG can recommend what is practical.

**Meeting Summaries** – Policy reviewed and commented on three summaries from previous meetings. Edits had been submitted prior to the meeting, which were reviewed, and a few additional edits were made at the meeting. With those changes, Policy accepted the May 1, 2014; June 5, 2014; and July 9 & 10, 2014 meeting summaries.

**Announcements** – DNR updated Policy on their search to find a new Adaptive Management Program Administrator (AMPA). They went through a round of interviews in early summer, and found a highly qualified candidate who they made an offer to. This candidate refused the offer due to personal reasons, so DNR is beginning the search again. They are also requesting that the AMPA salary be increased, which may help attract qualified candidates. They will draft a new announcement soon and hope to have a new AMPA within the next couple months. Policy agreed to circulate the job announcement within their individual circles to spread the opportunity further.

### **Master Project Schedule, continued**

Policy revisited two topics from the first meeting day. See page 6 for continued discussion on the Van Dykes Salamander Project, and page 4 for continued discussion on the Fish Passage Effectiveness Monitoring.

### **Communicating the MPS to the Board**

The Co-Chairs identified several points that they will note in their presentation of the MPS to the Board on August 12:

- The MPS is based on a set of assumptions:
  - The funding levels were based on the legislative proposal (AMP funding bill, 2014 legislative session).
  - Policy reviews the MPS biennially so if the funding amount changes in the future, Policy will revise the MPS to reflect the need to re-prioritize or reduce the budget.
- Hold list: based on the funding assumptions we have, Policy chose not to fund these projects in the near term and several are pending outcomes of other studies/further discussion.

**Decision:** Policy members noted their comfort with the Co-Chairs' plan to present the MPS to the Board with the caveat that they did not reach consensus on where to place Phases II and III of the Van Dykes Salamander Project (*see page 6*). With that caveat, Policy reached consensus agreement to forward the MPS to the Board on August 12.

The Co-Chairs will clean up the MPS and the Hold list (*named Appendix 1 after the meeting*), and will draft a cover memo to the Board noting Policy's assumptions in the budgeting process. They will work to circulate the MPS package to the Board members late Friday, August 8, and will 'cc' the Policy caucus representatives.

### **Glacial Deep-Seated Landslides**

The conservation caucus brought forward three motions on glacial deep-seated landslides (GDSDLs) that ask Policy to recommend that the Board place a moratorium on logging on unstable slopes until an emergency rule is produced related to public safety. They asked that Policy vote on these motions. Additionally, they encouraged Policy's technical group to continue to identify gaps and screening tools. Because the Board is unsure of their ability to put such a moratorium on logging, the conservation caucus asked Policy to recommend to the Board to do so in a timely manner.

The Co-Chairs responded that Policy does not generally vote on motions such as this because they work for consensus, and voting is usually an act of confirming consensus. They also noted that Policy is working on GDSDL issues, and has identified a Policy subgroup and a technical group to work on these issues and to respond to the Board's requests. They encouraged the conservation caucus to bring this issue up with the Policy subgroup at the time when the subgroup is preparing a set of recommendations for full Policy. They also noted that it is difficult for Policy to vote on a motion such as this when the Board does not know their ability to call a moratorium, something which the Commissioner of State Lands requested the Attorney General to produce an opinion on.

**Forest Practices Board Meeting** – DNR noted that the August Board meeting has been changed to a 2-hour meeting on August 12, when the Board will review and approve the MPS and review/confirm the WFFA representative to CMER. They scheduled a 2-day Board meeting for September 3 and 4, which conflicts with the September 4 Policy meeting so the Co-Chairs will re-schedule that Policy meeting.

The Co-Chairs adjourned the meeting at 1:45 pm.

Attachment 1 – Participants by Caucus at 8/6/14 and 8/7/14 Meetings

**Conservation Caucus**

Chris Mendoza  
\*Mary Scurlock

**County Caucus**

Laura Merrill, Washington State Association of Counties  
\*Kendra Smith, Skagit County

**Federal Caucus**

\*Marty Acker, USFWS

**Landowner Caucus – Industrial (large)**

Doug Hooks, WFPA  
Kevin Godbout, Weyerhaeuser  
Adrian Miller, Olympic Resource Management, Co-Chair  
\*Karen Terwilleger, WFPA

**Landowner Caucus – Non-industrial (small)**

\*Dick Miller, WFFA

**State Caucus – DNR**

\*Marc Engel, DNR  
Marc Ratcliff, DNR

**State Caucus – Ecology & WDFW**

\*Stephen Bernath, Ecology, Co-Chair  
Mark Hicks, Ecology  
\*Terry Jackson, WDFW

**Tribal Caucus – Eastside**

\*Ray Entz, UCUT/Kalispel Tribe (phone)  
Marc Gauthier, UCUT (phone)

**Tribal Caucus – Westside**

\*Jim Peters, NWIFC  
Curt Veldhuisen, SRSC (phone)

\*Caucus representatives

**Others**

Julie Dieu, Rayonier  
Howard Haemmerle, DNR  
Kirk Krueger, WDFW  
Amy Kurtenbach, DNR  
Don Nauer, WDFW  
Timothy Quinn, WDFW  
Claire Turpel, Triangle Associates

Attachment 2 – Ongoing Priorities Checklist

<b>Priority</b>	<b>Assignment</b>	<b>Status &amp; Notes</b>
<b>Type N</b>	Type N policy subgroup	On hold until other workload lessens.
<b>Type F</b>	Policy	On hold until other workload lessens.
<b>Adaptive Mgmt Program Reform Rule Changes</b>		Accepted by Board at August meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
<b>Ongoing CMER reports reviewed by Policy</b>	Mark Hicks & Todd Baldwin, 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 notes 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

<b>Entity, Group, or Subgroup</b>	<b>Next Meeting Date</b>	<b>Notes</b>
<b>Forests &amp; Fish Policy Committee</b>	TBD	Working to reschedule September Policy meeting
<b>CMER</b>	August 26, 2014	
<b>Type N Policy Subgroup</b>	TBD	On hold due to workload constraints.
<b>Type F Subcommittee(s)</b>	TBD	On hold due to workload constraints.
<b>Forest Practices Board</b>	August 12, 2014 September 3 & 4, 2014	August 12: Short Board meeting to focus on approving the Master Project Schedule