TFW/Forests and Fish Policy
Forest Practices Board

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

Policy Co-Chairs: Stephen Bernath, Department of Ecology
Adrian Miller, Longview Timber, Corp

MEMORANDUM

TO: Forest Practices Board

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

DATE: October 17, 2011

SUBJECT: Policy Priorities for Calendar Year 2012

The Forests and Fish Policy Committee (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. The review resulted in Policy approval of a "2012 FFR Policy Prioritization Framework" that focuses on water typing issues and the development of a comprehensive Type N Water strategy.

Water Typing and Type N Strategy
A wide range of priority issues have been raised by Policy representatives, in particular, development of a comprehensive Type N strategy to meet Clean Water Act Assurances and the need to address specific concerns about water typing and implementation of the permanent water typing rule. At least three items on the Policy Work List are, by definition, related to water typing: how to identify the Type F/N Water break, interplay between permanent and interim rule language for Type F streams, and identification of the upper most point of perennial flow in Type N Waters. Two of these issues are also related to development of the Clean Water Act Assurances comprehensive Type N Water strategy.

In developing water typing and Type N Water strategies, Policy must develop an approach to:

- evaluate the effectiveness of current processes for determining the Type F/N Water break,
- assess the interplay between the interim and permanent Type F Water rules, and
- evaluate how to identify the upper most point of perennial flow in Type N Waters.

In addition, Policy must ensure the CMER effectiveness monitoring projects are on track and will provide the information needed to make policy determinations on rule effectiveness. Three of the components are items that Policy can take a lead on; the fourth component is to a large extent already in place with the ongoing and planned Type N effectiveness studies in CMER.

More specifically, Policy will develop a strategy to address the following water typing issues:

- Defining upper and lower limits of Type N Waters: For Type N Water issues to be addressed, both ends of the non-fish-bearing waters must be anchored.
    - At the lower end, the Type N waters are anchored at the Type F/N Water break.
    - At the upper end of Type N Waters, the upper most point of perennial flow must be located.
- Rule interpretation of the interplay with the interim and permanent rules: In developing a strategy for examining how the break between Type F/N Waters is being applied, it should also be possible to examine how the relationship between the interim rules and the permanent rules are being applied for Type F Waters on the ground.

Policy will develop a Charter to scale and scope the process for addressing the water typing issues and developing the comprehensive Type N strategy. Elements of the charter will include a data-based evaluation on implementation of current practices, evaluation of the existing system in practice, integration of Type N effectiveness studies under way, and review of the Forests and Fish Report L1 criteria associated with the Type N Water strategy. One meeting has occurred since the October Policy meeting and another is scheduled for October 26, 2011. Following agreement on the Charter, Policy will establish timeframes for accomplishing tasks identified in it.

Other Issues

As CMER completes research and monitoring projects, Policy is responsible for considering further actions based on the science reported. It is probable that the Mass Wasting Effectiveness Monitoring Project based on the 2007 storm will be completed next year and may require substantive discussion.

All caucuses are aware that the family forest landowner community is still unhappy with their current options under the rules. Efforts are underway within the broader landowner caucus to evaluate options which may result in a proposal to Policy. In the interim, Policy will continue to consider the impact of any decisions on the family forest landowner community.

External Pressures That May Limit Policy's Time

As we have mentioned in the past, most Policy members have other responsibilities, many of which could limit Policy's full attention to Policy issues, for example, the legislative session, forest biomass initiatives, potential forest road permit, and continuing budget cuts/capacity challenges.

In closing, Policy accepted this course of action. We hope that the Forest Practices Board shares these priorities and is receptive to the work we hope can be forwarded to you as pieces are completed.

Attachment

Cc: Forest Practices Liaisons
CMER co-chairs

Forests and Fish Policy Work List
Work List Prioritization: Sept - Oct 2011

Category	Project/Issue	Federal Services	Conservation Caucus	WDFW	DOE	DNR	NWIFC	UCUT	Large Landowners
		---------- Rankings ----------							
	Clean Water Act Assurances (as a category)		3			1	1	3	
Multiple categories	AMP training and guidance changes								
FP implementation	Type Np/NS (CWA milestone)		2	2	1	3		1	
	Adaptive Management Strategic Plan								
Schedule L-1 study implementation	G1.O1.T4: Use of research and monitoring results in assessing current rules and policies								
FP implementation	G1.O1.T5: Coordination between compliance and effectiveness projects								
Prioritizing CMER research projects	G1.O1.T8: Synthesize applicable non-CMER research for priority topic areas								
Policy committee procedures	G1.O2.T1: Independent review of the AMP								3
Big "P" issue	G2.O1.T1: TFW reinvigoration								
Big "P" issue	G2.O1.T2: Write a joint letter summarizing outcomes of G2.O1.T1 TFW reinvigoration								
Big "P" issue	G3.O1.T2: Long-term funding	2							
Other	G3.O1.T1: AMP communication and outreach strategy								
Other	G4.O1.T1. Partnerships with other research organizations								
Prioritizing CMER research projects	L1 key questions, resource objectives, thresholds, and critical questions	3		3		2			
Prioritizing CMER research projects	Focus on L1 effectiveness monitoring								2
Prioritizing CMER research projects	Eastside performance targets							2	
FP implementation	Board Manual Review/Revisions								
FP implementation	Type F/N Break / Implement permanent water typing rules / Fish habitat identification	1	1	1	2		2		
Policy committee procedures	F&F Policy Caucus Members								
Prioritizing CMER research projects	Extensive Monitoring - Fish Passage						4		
Prioritizing CMER research projects	Groundwater Recharge								
FP implementation	Fixed Width LLO - long term								
Policy committee procedures	Economic impact analysis								
Policy committee procedures	Decision space of Policy and Forest Practices Board						3		
Prioritizing CMER research projects	Climate change								
Prioritizing CMER research projects	Intensive monitoring								
Other	Bring small landowners to Policy table								1

Categories	Category description
FP implmentation issues	Implementing adjustments/updates to rules/guidance for non-scientific policy reasons
Policy committee procedures	How Policy conducts business and makes decisions
Schedule L-1 study implementation issues	Prioritizing/commissioning/overseeing/monitoring/recommending to FPB based on CMER studies
Prioritizing CMER research projects	Guidance/recommendations to CMER on projects
Big "P" issues	Big "P" policy issues, probably outside ability for Policy to resolve
Other	