




DEPARTMENT OF
NATURAL RESOURCES

FOREST PRACTICES DIVISION
1111 WASHINGTON STREET
OLYMPIA, WA 98504-7012

360-902-1400
FPD@DNR.WA.GOV
WWW.DNR.WA.GOV

July 11, 2018

TO: Forest Practice Board members

FROM: Joe Shramek, Forest Practices Division Manager 

SUBJECT: June 2018 progress report on developing water typing rule materials and validation study design for the Forest Practices Board

This memo summarizes work conducted in June 2018 to assist the Forest Practices Board (FPB) in its consideration of adopting a permanent water typing rule. Staff is working to implement FPB decisions made at the February 14 and May 9, 2018 meetings. Work is underway to provide information prior to the May 8, 2019 meeting to help the FPB decide whether to initiate formal rulemaking.

Oversight of this project is being provided by Assistant Division Manager Marc Engel, who is serving as DNR's point-of-contact for TFW caucus representatives interested in, or engaged with, the work.

Related to this effort is a separate FPB-directed project, overseen by Adaptive Management Program Administrator (AMPA) Hans Berge, to develop a potential habitat break (PHB) validation study design for the FPB's consideration. The AMPA is working to provide the study design, including completed independent scientific peer review (ISPR), at the August 8, 2018 FPB meeting with an objective of positioning the FPB take action on the study design at its November 2018 meeting.

The overall plan includes development of four major, inter-related components:

- Administrative rule
- Preliminary cost-benefit analysis, including economic analysis on small business
- State Environmental Policy Act analysis
- Board manual technical guidance (Section 23)

Status of water typing rulemaking work accomplished in June 2018:

Administrative rule

- One meeting with stakeholder representatives occurred on June 25th to review and comment upon draft language. Additional meetings will be scheduled for following the Board's August 2018 meeting (that is, none in July 2018).

Preliminary cost-benefit analysis, including economic analysis on small business

- The economist advisory working group met on June 12th. The group continued to focus on the elements to be evaluated in the cost benefit analysis. The working group is planning to meet every six weeks through December 2018, with the next meeting planned for July 31st.
- DNR is procuring contracted technical economist services to assist in the cost-benefit analysis. A request for proposal was posted on July 10, 2018. The contractor will work under the lead of DNR's economists, with overall contract supervision provided by Marc Engel.
- Needed "end of fish" data is to be provided to DNR by July 17, 2018 through the expert PHB science panel (the science panel is extracting these data in support of developing the "PHB validation study").

State Environmental Policy Act analysis

- DNR anticipates initiating the preliminary SEPA analysis in July 2018 after receipt of information that will come from the early cost-benefit analytical comparisons of PHB options. The actual SEPA checklist will be finalized and sent out for comment once the Board issues a CR-102, now anticipated to occur in May 2019.
- General sharing of the pre-checklist environmental information may occur in August 2018.

Board manual technical guidance (Section 23)

- Staff and stakeholder representatives met in the forest on July 5th to further field-test draft PHB location guidance.
- The board manual guidance stakeholder group met on June 13th and 26th to review and discuss draft guidance. The group is scheduled to meet again on July 24th.
- Efforts are underway to develop guidance about the "anadromous fish floor" (AFF).
- Staff will provide a status report and presentation to the FPB at the August 2018 meeting, including results and observations about the in-field testing of PHB location guidance.

Status of PHB validation study design work accomplished in May 2018:

At the May 9, 2018 meeting, the FPB approved funding to conduct a "proof-of-concept" pilot study to be used to inform the validation study, conduct of which is anticipated to span a number of years.

Pilot study

Efforts related to the pilot study since the June 8 update include detailing a scope of work for solicitation and the first meeting of the team on July 11th. Recall that the purpose of the pilot study is (a) to expose sampling crews to complex field situations to gain an understanding of challenges that will occur during the implementation phase of the project, and (b) to refine and

select the most effective sampling strategy to gather data and identify PHBs. For the pilot study, 20-30 sites will be selected (half on each side of the state) that represent PHBs in low gradient, high gradient, and fish passage obstacles where a water type modification was approved. Data collection is anticipated to occur in late-July and August, with results presented at the November 14, 2018 FPB meeting.

Validation Study Design

Comments received on the study design have been incorporated into a response matrix and sent to reviewers. The project team is revising the study design document and expects to send it back to reviewers during the last week of July. A meeting is scheduled with stakeholders for July 26, 2018 to discuss the revised study design and pilot. Since the pilot study may influence the study design, the ISPR-approved study design and presentation will be provided to the FPB for your November 14, 2018 meeting.

I will provide similar monthly updates in the future as work progresses. At any time, please feel free to contact me if you have questions or would like to discuss any aspect in more detail.

cc: Marc Engel, DNR Forest Practices Assistant Division Manager for Policy and Services
Hans Berge, DNR Adaptive Management Program Administrator
Donelle Mahan, DNR Forest Practices Assistant Division Manager for Operations

