

Cooperative Monitoring Evaluation and Research Committee (CMER)

January 24, 2012
DNR/DOC Compound

Attendees	Representing
*Baldwin, Todd (ph)	Kalispel Tribe
*Dieu, Julie	Rayonier, UPSAG Co-chair
Gauthier, Mark (ph)	Upper Columbia United Tribes
*Hicks, Mark	Department of Ecology, CMER Co-chair
Hitchens, Dawn	Dept. of Natural Resources, CMER Coordinator
Hotvedt, Jim	Dept. of Natural Resources, AMPA
Kay, Debbie (ph)	Suquamish Tribe, WETSAG Co-chair
Kurtenbach, Amy	Dept. of Natural Resources, Project Manager
*Kroll, AJ	Weyerhaeuser, LWAG Co-chair
*Lingley, Leslie	Dept. of Natural Resources
*Martin, Doug	Washington Forestry Protection Association
McCrea, Chad (ph)	Spokane Tribe of Indians
*Mendoza, Chris	Conservation Caucus Contractor, CMER Co-Chair
*Miller, Dick	Washington Family Forestry Association
*Mobbs, Mark	Quinault Indian Nation
Sturhan, Nancy	Northwest Indian Fisheries Commission
Schuett-Hames, Dave	CMER Staff, Northwest Indian Fisheries Commission

* Indicates official CMER members and alternates; ph indicates attended via phone & v indicates attended by video conferencing.

Agenda

Nancy Sturhan announced Debbie Kay has been nominated by the tribal caucus to replace Lyle Almond's position. This nomination will be forwarded to the AMPA for FPB approval.

She requested background from Amy Kurtenbach about charters; the need for them and why we need them at the pre-scoping stage.

2013 CMER Work Plan – CMER Members Approved with One Reservation

Terry Jackson facilitated the discussion of revisions and updates made to the FY13 CMER work plan by the SAGs.

Main Discussion Points

Changes and updates were made to the three main projects in the Type N Riparian Effectiveness Program.

The consistent use of *Unstable Slope Criteria Project: An Evaluation of Hillslopes Regulated under Washington Forest Practices Rules (formerly Testing the Accuracy of Unstable Landform Identification Project)* was agreed on by CMER members.

CMER members reviewed the Forested Wetlands Effectiveness Program information.

CMER suggested separating the Amphibian Genetics study from the Type N Experimental Buffer Treatment Project in the project objectives and status table.

Leslie Lingley identified the legend at the end of the project objectives and status table does not accurately reflect the work.

Mark Hicks agreed the terms may need to be revised.

Terry Jackson replied the legend and notes at the bottom of the table reflects a cross walk between the work plan and the functions.

Chris Mendoza reminded CMER this table was discussed last year and CMER agreed upon the status of the functions and the definitions would be reviewed later. He suggested forming a work group to work on the definitions as the timing of getting this work plan to Policy is critical for their preparations of the annual budget retreat.

Mark Hicks proposed to use what we have for this version of the CMER work plan and have Leslie Lingley take a lead role in evaluating the status and functions. This evaluation will be completed in advanced of next year's work plan. Leslie Lingley agreed to this and suggested that CMER have a status list of completed projects.

Dick Miller seconded the motion.

Leslie Lingley approved the motion with the reservation that she agreed to work on the project objectives and status legend.

CMER members approved the FY13 CMER work plan with the one reservation.

FY13 CMER Projects Budget – Pre-view

Amy Kurtenbach and Jim Hotvedt developed a budget sheet that captured current projects. This represented 80% of the budget needed for projects. This is the first draft for CMER to pre-view. A final draft of the CMER FY13 budget will be shared with Policy at the budget retreat. The CMER budget FY13 total = \$2,086,254 for projects; this assumes Tier 1 funding level.

Main Discussion Points:

➤ SAGE -

- 1) EWRAP – This project has not expended funds as CMER staff is finishing off the work. This was in the budget last year when there was a contract for services to be performed. The Tier 2 placeholder for funding will need an explanation.
- 2) Eastside Type N Characterization Forest Hydrology – The RFP is out and is advertised at \$450,000.
- 3) Bull Trout Solar Radiation & Effective Shade has \$150,000 allocated. The solar component will be completed in 2012. The temperature component is on schedule.

Chris Mendoza respectively disagreed with \$150,000 for report writing.

Amy Kurtenbach reported the solar and temperature components of the Bull Trout Overlay study are performance-based contracts. The budget is for report writing, analysis of data, and the various stages required in the completion of the CMER review process.

Jim Hotvedt reminded CMER members about the contractual obligations for this study and the fact the annual budget approval process for CMER projects will reflect existing contractual agreements for some of the projects.

- 4) Eastside Type N Effectiveness – the \$75,000 budgeted reflects the funding level of soft rock. This supports literature review, scoping and study design.

Terry Jackson asked why CMER staff was not supporting this stage of the project.

The budget reflected the estimates of scoping, study design and then field implementation time. This approach used the same funding level as the soft rock for planning purposes. This shows how long it takes to get a study up and running.

Jim Hotvedt reported SAGE needed to have the forest hydrology study done before starting the Eastside Type N Effectiveness. The forest hydrology study will not have field work done until next summer (2012) and will need to analyze the field work, write it up and have it go thru the CMER review process. This timeframe pushes that project well into FY14. That is why the Eastside Type Effectiveness study is projected to start in FY15.

Amy Kurtenbach reported SAGE needed to have the charter discussion for the Eastside Type N Effectiveness project.

➤ Soft Rock SAG -

- 1) The Type N Experimental Buffer Treatment Soft Rock charter was used as the source document for the budget amounts. These will need to be revised based on the EPA grant and the interagency funding level.

➤ UPSAG -

- 1) The Roads Sub-Basin Scale Effectiveness project is pushed out to FY15 & FY16.

Chris Mendoza pointed out the fiscal year amounts were established before the RMAPS extension was agreed upon and these dates may need to be revised.

Julie Dieu shared the original study design was to have three samples. Phase one took more time due to the site selection but this first phase has laid the foundation for the following two samples. The contractors completed the work in phase one in 2006 and 2008

Mark Hicks suggested this as a future CMER discussion. CMER will need to review the data from the first phase and tie this in with the status of the RMAP extension. This will help CMER members understand the logic of the phased approach.

Jim Hotvedt suggested leaving the budget as is and have the discussion about this project with the background of RMAPS. Re-sample dates and budgets can be changed after those discussions.

- 2) The Unstable Slope Criteria Project is budgeted for \$50,000. This will pay for the complete draft of the study design and UPSAG will carry it through the CMER review process.

➤ RSAG -

- 1) Type N Experimental Buffer Treatment Hard Rock – the figure reflected is based on last year’s budget. This will be verified especially for the work plan and sampling regime.
- 2) Type N Experimental Hard Rock Amphibian Genetics – the re-sampling regime is set up for future years.
- 3) Type N Buffer Integrity Shade Effectiveness – a discussion needs to occur with WDFW about data analysis and the ISPR step. This reflects a placeholder of funds for the ISPR comment matrix.
- 4) Eastside Type F Riparian Prescription Monitoring Bull Trout Add- On: The \$43,000 represents more sites and data collection. There is a savings from last year at \$60,000 as the contractor completed one site and did not bill for the expenses.
- 5) Extensive Temp Monitoring Westside Type F/Westside Type N is budgeted for \$17,000.

➤ WETSAG –

- 1) Wetlands Systematic Literature Review – FY13 \$50,000; this is the balance of what has not been spent to date.
- 2) Forested Wetlands Effectiveness Study – The \$75,000 request is for the scoping study design.

➤ LWAG –

- 1) RMZ-Resample (Bird Data) – LWAG had to go back and get the bird data for 5 years and now need the vegetation data. The contractor has not used the funding this year and requests to use it next year (FY13).

General Discussion on Budget:

Chris Mendoza suggested having CMER review the full budget with all the projects reflected.

Dick Miller reiterated the Forest Practices Board will vote on the CMER FY13 budget while the future years are projected funding levels. It seems there is an advantage for the SAGs to plug in funding for the future years. For example the Hardwood Conversion Study will need funding past FY13 and yet this is not reflected in the draft budget.

Amy Kurtenbach apologized for not including the Hardwood Conversion Study. The budget will reflect funding for this study.

WARSEM is not reflected in the budget and this will need to be updated.

Jim Hotvedt reminded CMER members the funding of future years for the Roads Sub-basin and Soft Rock projects were part of the project design and budget. This is not the case for the Hardwood Conversion Study. The budget placeholders were agreed upon by CMER and Policy, but not by the Forest Practices Board.

This budget is a draft version for the SAGs to review and revise. A revised version will be discussed and approved at the February CMER meeting.

Business Session

➤ Policy Meeting – Report from January 5, 2012 Meeting

Mark Hicks reported the regular Policy meeting was canceled. The Type N Strategy Policy subgroup met instead. The technical advisory group (TAG) connected to this workgroup reported they developed a survey to assess how well the process is going for demarcating the break point for N streams (upper most point of perennial flows). The TAG is behind schedule and will have their second meeting this week.

The second work group created by Policy is the Type F/N Break sub-group working on fish habitat. They have had one meeting to start the discussions.

➤ CMER Coordinator's Corner

The CMER November 2011 CMER meeting notes were approved. (*CMER Approved.*)

The CMER Science Conference flier has been updated to include the adaptive management programs scheduled for the afternoon. March 1st is the deadline for abstracts; March 2nd is the deadline for emailing draft power point presentations and March 9th is the deadline for pre-viewing the power point presentations.

Decisions:

RSAG

➤ Westside Type N BCIF Study Six Questions – *CMER Approved Six Questions with changes made at the meeting.*

Dave Schuett-Hames reported RSAG reviewed the six questions, received comments and addressed them, and would like to send this to Policy in time for the February 2nd meeting. RSAG will present at the afternoon TAG meeting for the Type N Strategy sub group. He received two comments from Leslie Lingley & Dick Miller after the RSAG meeting. He received these comments yesterday and he has not had time to incorporate them into a new document.

Dave Schuett-Hames walked through the comments as provided on the overhead projector. CMER agreed to the changes made at the meeting. Dave highlighted the fact this is the first completed study using the findings report “template” as the method for transmitting to Policy. He will send the updated Westside Type N BCIF Study Six Questions to the CMER Coordinator before Thursday the 26th to send out to CMER. The Policy mail out is Thursday the 26th for February 2nd meeting.

Mark Hicks motioned to accept the six questions with the clarifying changes in final draft and forward to Policy with the BCIF final report.

Leslie Lingley seconded motion.

CMER members approved.

➤ Bull Trout Solar Study – *CMER Approved the Conditional review of the CMER Final Report for final approval*

Amy Kurtenbach sent a copy of the contractor's final CMER report and the CMER ISPR comment matrix. RSAG requested a different approval from CMER to save money in the

contract. This request is to consolidate the CMER & RSAG comments to forward to the consultant and they in turn respond and return it back and this will be provided to CMER for approval. She has received comments from RSAG. CMER reviewers need to get their comments in by January 25th.

Jim Hotvedt asked a process question; if you get comments that no one else has seen, what gets sent to MB&G? The reviews are to make sure MB&G incorporated the responses in the comment matrix; make sure they do not do a complete new review in the report.

Amy Kurtenbach replied this is a short report and she has not received a lot of comments. She took liberties to consolidate all of the comments into one set and send them to MB&G. MB&G has one set of comments to respond to. If she received controversial comments, those comments would have been sent to RSAG for review, and then back to the contractor.

Chris Mendoza expressed there is more concern around this due to the relationship with the contractor.

Terry Jackson agreed to a consolidated review. She requested to have Amy send the comments to the TAG before sending an email to MB&G.

Amy Kurtenbach replied she will consolidate the comments into a list and have Terry Jackson and Greg Stewart review them before they go to MB&G.

Mark Hicks moved to agree to a consolidated list, have the project manager use this list of comments as submitted by tomorrow, and send this list to the TAG before sending them to the contractor.

Chris Mendoza seconded the motion.

CMER members agreed.

SAGE

➤ Eastside Type N Effectiveness Study - *CMER tabled approval of a charter for project scoping*

Amy Kurtenbach provided an overview of the purpose for developing charters. Project charters are a living document for clearly identifying roles and responsibilities; a clear project & purpose statement; resource allocation; rule group critical question; program research question(s); tangible deliverables; budget; project milestones and schedule; and the project risks, assumptions, and limitations. This living document provides the foundation for project management and direction on the purpose statement.

Nancy Sturhan clarified she saw writing a charter before scoping as “getting your boots on before your socks.” It seems to be a struggle, which may be good, as this may be the pathway to get to a problem statement. She was back to agreeing to the purpose of the charter so as not to stray away from scoping, which has occurred in CMER.

Mark Hicks agreed to start broad for a charter and in that way CMER does not cut off options. He emphasized that CMER should not get locked down at this step. The charter has been used against CMER and he would rather not have a charter for scoping purposes. Instead the focus should be the starting point for a project as connected to the work plan and have the people and resources clearly identified.

Jim Hotvedt added he liked the 360 degree turn that Nancy Sturhan did. He added Mark Hicks has a point and he never really understood why there was disagreement on charter development until today. The most important piece of a charter is the problem statement and if we are having a problem with it then that tells us something. Writing the problem statement is not easy, but the most important step. It is worth the effort, otherwise the rest of the research falls short. He did not see getting by without a charter even for scoping; otherwise CMER has a problem. Mark Hicks' issue is relevant, if we have a problem, how do we deal with it?

Chris Mendoza agreed with Jim about the content of developing a charter. The scoping process is where you carve out the problem statement and this process has been time consuming. The concern is to have a contractor do the scoping process and that has its own set of problems. CMER needs to develop a charter and do it early with information from the work plan with an understanding of revising the charter.

Julie Dieu added UPSAG has had this conversation. The charter provides information for Policy and we know it may change especially if there is a revised study design. She has often argued that the scoping document is not set in stone and she heard that from CMER today. She is comfortable with developing charters to see if the SAG is on the right track and get back to CMER with a scoping document.

Dick Miller added the Forest Service did something similar. They conducted a problem analysis (what is the problem), then identified potential solutions, and later develop study plans to arrive at analysis and results. He added he saw the key ingredients in the existing charter as follows:

Problem statement

Project description

Adaptive Management Link

Terry Jackson expressed concern about making our process more complex. She emphasized the scoping document was where CMER devoted time and effort and this was what was submitted to Policy. Now CMER spends time on developing the charter before the scoping document. CMER has a process that is way too long. CMER needs to improve its processes.

Amy Kurtenbach replied she received comments and incorporated them in the Eastside Type N Effectiveness Study Charter. The problem statement is from the work plan; the complete document is from the PSM; and the assumptions & limitations are tools lifted from project management. SAGE identified concerns about the risk associated with how forest practices are implemented operationally in the field. The intent of the charter is to communicate project needs (goals, resources, budget, schedule, risks, etc.). She needs to add the roles and responsibilities of SAG & CMER co-chairs.

Ash Roorbach asked if this is a charter for a scoping document; if so, he had a question about implementation of the rule – this is one of the issues that will need to be addressed in the scoping document. The other thing is L1 performance targets – 2 of 3 are not there. CMER knows that the shade performance target is not helpful. SAGE may need to put these into the charter to base this on a scoping document. Performance targets are not always articulated well. The estimated budget is for \$75,000. Is that for the scoping document?

Amy Kurtenbach replied this document is letting CMER know the next steps and this is what is needed for FY13.

Terry Jackson asked if this project is only dealing with heat and water temperature; she thought they were dealing with sediment. She questioned the statement about not meeting the CWA milestone and the budget does not go out to 2022.

Amy Kurtenbach replied the goal of the charter is serving its purpose by having it laid out for CMER to review.

Chris Mendoza expressed concern about the activity table - limitations and assumptions; CMER does not have the resources to test all the variations. In the activity table – take out last one or put a column that is titled “potential concern”. CMER cannot test how the rule is applied over time; may change operational incentives for rules to be applied on the ground. He voiced this concern with SAGE. He added SAGs need to tow the line as one project manager cannot do it all.

Doug Martin expressed concern that the charter is premature as there are too many unknown statements. He asked why CMER is wasting time doing this now.

Dick Miller added the timeline is unrealistic.

Jim Hotvedt added this project is behind one year and CMER needs to have agreement on the problem statement.

Leslie Lingley suggested simplifying the process by developing the problem statement and timeline.

Mark Hicks agreed CMER must be clear with Policy about the project. He expressed concern about signing off on the timeline (3 years seems unrealistic). This charter needs a clear problem statement. He questioned testing full range of flow regimes; need to append the second sentence in the assumptions and limitations table or mitigate these into a problem statement. The estimated project completion dates – 2013 is the CWA implementation date – put that in parenthesis. The project completion dates shows 2019, but the budget shows 2022. This needs to be changed.

Chris Mendoza suggested CMER send comments to SAGE co-chairs to continue working on a charter given the Eastside Type N Riparian Effectiveness Study (Effectiveness Study) is not ripe and is connected to this charter. The suggestion was made; insert last sentence about will need to insure prescriptions are written that follow rules and how to address them.

Amy Kurtenbach suggested sending comments to her and she can incorporate them into the charter for SAGE. Once this is done then Greg Stewart will start working on the scoping design. CMER members were encouraged to send comments to Amy by January 25th.

UPSAG –

➤ Unstable Slopes Criteria: An Evaluation of Hillslopes Regulated under Washington Forest Practices Rules – ***CMER did not approve the charter for project scoping & recommended Policy interaction***

Amy Kurtenbach reported UPSAG used similar language as the other charter. UPSAG provided context about the change of direction and the Schedule L-1 - Key questions have been revised.

Julie Dieu added UPSAG does not have performance targets to provide as a baseline; UPSAG will not have it until the scoping design step.

Nancy Sturhan reported she has had extensive discussions with Jeff Phillips. The problem statement is obtuse; she recommended using the Policy approved problem statement. That is the question assigned to UPSAG. She identified concern under the context section about the statement - *For this reason, there is a need to determine whether these and other landforms identified as potentially unstable areas with the highest probability of impacting public resources are protected at a level that sufficiently reduces landslide impacts to achieve the desired levels of resource protection.* This is not in the problem statement.

Chris Mendoza suggested UPSAG cut and past the Policy approved problem statement for the charter to finish out the scoping. As it stands the charter says what is needed without addressing the problem.

Leslie Lingley added UPSAG has struggled with this and agreed not to put the memo statement in the problem statement, as it is too confounding.

Mark Hicks added Policy requested UPSAG to return and share the direction of the project before implementing it. In order for Policy to commit to the project, the problem statement needs to clear.

Chris Mendoza agreed with Mark Hicks as Policy does want interaction with UPSAG.

Nancy Sturhan added UPSAG has been asked to tell Policy about landslides in various forms; not the quantity of landslides.

AJ Kroll asked if it was premature for this group to have a conversation with Policy as we have the Post Mortem study. CMER has discussed having workshops on landslides; could that forum inform us?

Julie Dieu shared the problem statement states what it is that we may produce; UPSAG may need to go deeper and talk about the problem statement. UPSAG is willing to talk to Policy about the problem statement. She is not willing to have UPSAG spend more time on this and is not sure UPSAG is ready to talk to Policy now.

Mark Hicks suggested UPSAG get a picture of what they think they need to do and ask Policy what is needed.

Nancy Sturhan will send the problem statement in the memo to Policy to Leslie Lingley.

Jim Hotvedt added he did not see the problem statement in the draft charter as problem statement; it is a purpose statement.

Dick Miller suggested UPSAG revise the problem statement and go to Policy with this document and provide side bars to get feedback from Policy. UPSAG will need to explain why this is different from what Policy approved.

Julie Dieu responded UPSAG will identify what can actually be accomplished. They will not be working on the problem statement. This is projected to be done for the Policy March meeting.

CMER members agreed.

➤ Stillwater Recommendations: TAG Comment Matrix – *CMER Approved*

Chris Mendoza reviewed the table developed by the work group for CMER. The work plan has been updated. The functions table is a reflection of changes based on the report recommendations. This along with a three-page cover letter and the report will go on the website.

Terry Jackson motioned to approve with adding title, date and page numbers.
CMER members agreed to the general approach and content.

CMER/SAG Recap of Assignments:

- Dave Schuett-Hames will send the updated Westside Type N BCIF Study Six Questions to CMER Coordinator before Thursday the 26th; in time for the Thursday mail out for Policy's February 2nd meeting.
- CMER members were encouraged to send in comments to the SAGE co-chairs and project manager on the Eastside Type N Effectiveness Study Charter by January 25th.
- UPSAG will revise the Unstable Slopes Criteria: An Evaluation of Hillslopes Regulated under Washington Forest Practices Rules Charter and present a revised version to Policy to get feedback from Policy. This is projected to be done for the Policy March meeting.
- Leslie Lingley agreed to work on the CMER projects objectives and target table legend to better define the stages of CMER projects.