

**Timber, Fish, & Wildlife Policy Committee**  
**Regular Meeting**  
**MEETING MINUTES**

Thursday, June 4, 2020 // 9:00 am – 4:00 pm  
Remotely held using GoToMeeting

*Prepared for TFW Policy by Jacob Hibbeln, AMP Senior Secretary*

Motions June 4, 2020	
Motion	Move/Second (Vote)
Accept the April 2 <sup>nd</sup> minutes as amended.	Steve Barnowe-Meyer/Jim Peters (All thumbs up, Eastside Tribes and Federal caucuses absent)
Accept the April 8 <sup>th</sup> emergency budget meeting minutes as accepted.	Steve Barnowe-Meyer/Scott Swanson (All thumbs up, Eastside Tribes and Federal Caucuses absent)
Accept the April 22 <sup>nd</sup> emergency budget meeting minutes.	Steve Barnowe-Meyer/Darin Cramer (All thumbs up, Eastside Tribes and Federal caucuses absent)
Accept the April 29 <sup>th</sup> emergency budget meeting minutes as amended.	Steve-Barnowe-Meyer/Don Nauer (All thumbs up, Eastside tribes and Federal caucuses absent)
Accept the May 7 <sup>th</sup> as amended.	Steve Barnowe-Meyer/Don Nauer (All thumbs up, Eastside and Federal caucuses absent )
Accept the Extensive Riparian Vegetation Monitoring (ERVM) Model Transferability report but no action is needed at this time.	Scott Swanson/Steve Barnowe-Meyer (All thumbs up, Eastside tribes and Federal caucuses absent)
Accept the Washington Forest Protection Association (WFPA) Smart Buffer Proposal Initiation (PI) and direct to CMER for review of the draft study design.	Scott Swanson/Don Nauer (Thumbs up: Westside Tribes, DNR, WDFW, ECY, Conservation; Abstained: SFLO & LFLO. Eastside tribes and Federal caucuses absent)

Action Items June 4, 2020	
Action Item	Responsibility
By Monday at noon, every caucus needs to look at the language of the Dispute Resolution proposed by the Small Forest Landowners Caucus and articulate where clarifications are needed. It is	Policy

important to ensure that every caucus understands the language the same way.	
A memo regarding the Type Np Workgroup progress will be sent to Jacob before the July mailing.	Cramer and Peters

## Minutes

### **Introductions and Co-chair Updates**

*Rentz and Veldhuisen*

Terra Rentz, co-chair, began by taking roll-call and announcing that it was Curt Velduisen’s last meeting as co-chair. There are a couple other people to potentially step in as co-chair. Voting will happen at the July meeting.

### **Caucus Updates**

Scott Swanson, Counties caucus, announced that he is retiring on June 30<sup>th</sup> and this will be his final Policy meeting. The group thanked Scott for his contributions and previous role as co-chair.

Steve Barnowe-Meyer, SFL Caucus, inquired about having separate caucus meetings during the main Policy meeting for when caucuses needed to convene. Rentz agreed to set up Teams meeting platforms.

### **Past Meeting Minutes**

*Co-chairs and Hibbeln*

Motions #1 – 5 were passed to approve the past meeting minutes for April 2 and May 7<sup>th</sup>, in addition to the April 8<sup>th</sup>, 22<sup>nd</sup>, and 29<sup>th</sup> emergency budget meeting minutes.

### **Report from Forest Practices Board Meeting**

*Mark Hicks, AMPA*

Hicks reported on the main decisions made at the Forest Practices Board (FPB) Meeting. Most relevant to Policy is the approval of the Master Project Schedule. Additionally, no action was taken on the Washington Forest Protection Association (WFPA) Smart Buffer Proposal Initiation (PI) because it was determined to be premature. Additionally, the FPB accepted a strategy for finalizing water typing study designs which was developed by the Instream Scientific Advisory Group (ISAG) and approved by CMER.

### **CMER and SAG Updates**

*Jenny Knoth, CMER Co-chair*

Knoth presented the main decision points of the May CMER meeting. She discussed the eDNA Dispute Resolution and stated that relevant parties are working on how to best summarize the data in addition to what has been learned from the pilot project. Hicks added that the Dispute Resolution is complete. He met with the author of the study recently to deal with the comments.

### **Type Np Workgroup Update**

*Darin Cramer, Large Industrial Landowner Caucus*

Cramer reported that 2 more meetings are scheduled for this month and that the workgroup has about 6 more months of work before a recommendation is made. Rentz reminded the group that a brief written progress report is due at the next meeting.

### **Extensive Riparian Vegetation Monitoring (ERVM) Model Transferability Final Report**

*Curt Veldhuisen, co-chair*

Veldhuisen briefly explained the project, articulating that the goal of the discussion was to decide whether or not to take any action. It is important to keep in mind how this tool can be used to monitor riparian areas. Chris Mendoza, CMER co-chair, reminded Policy that CMER delivered a memo outlining potential questions that could be asked at the workshop that was originally planned. Although the workshop has been postponed due to COVID-19, all caucus members agreed that it is important not to lose sight of this. It was suggested that Policy revisit this memo at the July meeting in order to fully utilize this study and tailor it for Policy's informational need.

After Veldhuisen asked if anyone had thoughts on if action should be taken today, Rentz reminded everyone that accepting the report and saying that no action is required at this time is an option. Motion #6 was passed and it was agreed that the next step is for Policy to discuss what extensive monitoring the group needs.

Mendoza reminded the group that any request from Policy involving RSAG must go through CMER in order to comply with the Protocol and Standards Manual.

### **Small Forest Landowners (SFL) Technical Workgroup Recommendations**

*Alec Brown, Conservation caucus*

Brown gave a brief history of the workgroup and what subjects have been discussed in meetings. He reviewed the state caucus recommendations and then covered what the Alternative Harvest Prescriptions could work on as secondary goals.

Rentz reminded Policy that it is very important to whittle things down to where there is consensus and articulate where more information is needed. The workgroup agreed that any recommendations regarding buffers on Type Np streams should wait until the Type Np Workgroup is completed.

Barnowe-Meyer stated that while the workgroup found a number of things to agree on, the main source of disagreement is buffer widths. He thinks that the path forward is either in Dispute Resolution or the Experimental Harvest Prescriptions Workgroup. If this is to happen, the Experimental Harvest Prescriptions Charter would need to be amended. Don Nauer, WDFW caucus, added that the state caucuses saw no reason to expand beyond the existing fixed width template for even aged harvests, which was a source of contention.

After Rentz reminded Policy that some action must be taken at this meeting, Ken Miller, SFL caucus, moved that Policy accept the Technical workgroup recommendations as provided. Before this was voted on, Darin Cramer, Large Forest Landowner caucus, asked for a summary of what there was agreement on. Brown responded that an agreement was reached on commercial thinning and hardwood conversion, which could potentially help the Alternative Harvest Prescriptions work group.

Cramer stated that he does not like the idea of passing work on to the Experimental work group and would like to conclude this process decisively without spillover. Cramer briefly recapped the history of the WFFA Proposal Initiation, emphasizing that there has been a consistent lack of progress and consensus.

Rentz stated that a lack of consensus from a workgroup cannot be used to trigger Dispute Resolution. It requires a non-consensus vote or lack of progress, both at the Policy Committee.

Motion #7 was voted on and passed.

### **Small Forest Landowners (SFL) Dispute Resolution**

*Rentz*

Rentz began by framing the dispute and the goal of the conversation. She mentioned that the motions proposed by the SFL caucus are not shown on screen because they are not motions that have been formally introduced to Policy and therefore cannot be a part of Dispute Resolution according to the Adaptive Management Board Manual. The proposed motions can be viewed as information but not as live motions. In order for something to be officially moved into the Dispute Resolution process, a motion must have a second.

Miller made motion #1 as outlined in the SFL Dispute Resolution document and received no second. Rentz stated that since Policy has not received an AMPA evaluation of the Cramer Fish Sciences/Mark Tepy Consulting's "Small Forest Landowner Alternate Plan Template review, April 28<sup>th</sup>, 2019", this motion cannot be considered yet. What can happen is a motion to have the AMPA review said report which would then formally come to Policy in July.

Miller then made motion #2 as stated in the SFL Dispute Resolution document. Language is as follows: “

Policy recommends the Forest Practice Board approves alternate restrictions regardless of Site Class for SFLOs (only) that incorporate:

- A. 75' Variable Width RMZs for all Fish/Shoreline Waters where the BFWs are greater than 15’\*
- B. 50' Variable Width RMZs for all Fish/Shoreline Waters where the BFWs are 5' to 15’\*
- C. 25' Fixed Width RMZs for all Fish Waters where the BFWs are less than 5’\*
- D. 25' Fixed Width RMZs FULL LENGTH for all Np Waters.\*

\* = Potential alternate prescriptions, if any, available within this RMZ width to be determined in other processes”

Veldhuisen expressed that the way the Dispute Resolution is framed is very important and a consensus would have to be reached before proceeding with the Dispute Resolution process. All members agreed that it should be framed as a lack of progress.

Rentz again reminded Policy of the decision made by consensus in 2019 and that by accepting the motion made by the SFL caucus, Policy would be overturning a motion which was already accepted. Swanson rescinded his second.

Elaine O’Neil, SFL caucus, voiced confusion about why the motions made by Miller could not be considered and why they contradict decisions voted on at the December 2019 meeting. To Elaine, it does

not seem contradictory because of what the SFL Technical Prescriptions Workgroup has done over the past 6 months.

Regarding Miller's first motion, Rentz stated that this could not be entertained by Policy because the referenced report by Mark Teply must first be formally received by Policy, after which it might be directed to CMER for review. This can be an item on the July agenda.

Miller's second motion was seen as contradictory to the decision made at the December 2019 meeting because in December, Policy had a proposal with alternate plans and it was decided that, as a whole, the proposal did not fit the criteria of a template. The task of the SFL Technical Prescriptions Workgroup was to examine under what site specific conditions variations to total width RMZ buffer prescriptions for SFL in Western Washington meet the objectives under the Forest Practices rules. As the dispute is currently framed, this was not achieved.

Brown stated that he viewed the creation of the workgroups as a modification to the motion made in December and a way to achieve consensus. Miller agreed and then stated that he would like to invoke Dispute Resolution based on the second motion outlined in the handout. However, this did not have a second and therefore a dispute resolution could not be invoked.

Cramer then motioned that "The SFL Technical Prescriptions Workgroup has been unable to make substantive progress on the WFFA's Proposal Initiation (PI), primarily due to disagreement on acceptable RMZ widths. Therefore, Policy should move towards Dispute Resolution. This was seconded by Swanson. At this point, O'Neil requested a caucus. Rentz suggested a working caucus followed immediately by lunch.

Policy returned from the caucus and revised motion language was introduced by Barnowe-Meyer. Motion language is as follows:

"The SFL caucus invokes dispute resolution based upon the inability to make substantive progress at TFW Policy on WFFA's "Alternative Plan Template Proposal, January 21, 2015" Proposal Initiation, primarily due to disagreement on acceptable RMZ widths, evidenced by the Technical SFL Prescriptions Workgroup's failure to reach consensus RMZ prescription recommendations."

Rentz asked each caucus to examine this language and very specifically articulate where clarification points are need. According to the Forest Practices Board Manual Section 22 Chapter 5, it is crucial that all caucuses have the same understanding of the dispute resolution language. This is due by Monday (June 15) at noon.

### **Washington Forest Protection Association (WFPA) Smart Buffer Proposal Initiation (PI)**

*Hicks & Rentz*

Hicks began by reviewing the documents sent to Policy. He stated that it is up to Policy to decide whether or not the AMP has the resources to deal with this and also consider the impact it would have on staff and other resources. If accepted, this would be sent to CMER, after which it would be prioritized for review.

Rentz then gave each caucus the opportunity to ask any questions or voice opinions about the PI. Brandon Austin, Ecology caucus, asked about where this PI would fit in terms of resources and what would happen at CMER. Hicks stated that this would be treated as if it had been generated internally – there would be more than one CMER review and a guided decision-making process. This could take an undetermined amount of time to get through CMER.

Brown raised the possibility of CMER changing the study and delays due to ISPR review, asking if WFFA is prepared for this. Cramer responded that this is a pilot study and he is aware that changes will be made.

Nauer and Engel both expressed concerns about the cost to AMP and asked if WFFA would be prepared to cover any costs added by CMER. Cramer stated that since WFFA is currently carrying the bulk of the cost, he cannot say at this time.

Veldhuisen reminded Policy that caucuses should be cognizant of the workload implications this carries and how this study addresses the Type N question.

Swanson made motion #8 and discussion ensued. Before voting, Brown wanted clarification on what assigning this PI to a science track means, after which the motion was amended to reflect this. Caucuses voted and the motion passed.

### **Hard Rock Phase III Extended Monitoring**

*McIntyre, WDFW & Gibbs, AMP Project Manager*

Policy agreed that there should be more rationale from the project team that extended monitoring is necessary in this study and asked McIntyre to walk them through the new process for the proposal of extended monitoring. After McIntyre explained this and gave a brief history of this project, she explained that extended monitoring is highly beneficial in this case because it would prevent past money and resources from going to waste and would also contribute valuable information. This has been agreed on by the entire project team as well as ISPR reviewers.

Terra stated that the Policy workgroup would have to see how this project fits into the future biennium's budget before anything is approved. If accepted, Policy would have to figure what is not prioritized instead. McIntyre then commented on the budget options which were outlined in the Prospective 6 Questions document, one of which has 2 years of additional monitoring. In terms of study integrity, LWAG has recommended 2 additional years of monitoring.

## **Attendees by Caucus**

\*Caucus representative

### **Conservation Caucus**

\*\*Alec Brown (WEC)  
Chris Mendoza (CMER Co-chair)

### **County Caucus**

\*\*Scott Swanson (WSAC)  
Kendra Smith (Skagit County)

### **Eastside Tribal Caucus**

John Sirois (Upper CUT)

### **Large Industrial Landowner Caucus**

\*\*Darin Cramer (WFFA)  
Doug Hooks (WFFA)  
Joe Murray (WFFA)

### **Small Forest Landowner Caucus**

\*\*Steve Barnowe-Meyer (WFFA)  
Jenny Knoth (WFFA/ CMER Co-chair)  
Ken Miller (WFFA)  
Elaine O'Neill (WFFA)  
Bob Loisel (WFFA Pierce County)  
Victor Musselman (WFFA)  
Harry Bell (WFFA)  
Nick Somero (WFFA Pacific County)  
Paula Hopkins (WFFA)

### **State Caucus**

\*\*Brandon Austin (ECY)  
\*\* Don Nauer (WDFW)

\*\*Marc Engel (DNR)  
Terra Rentz (WDFW/Co-chair)  
Jasmine Reppen (DNR)

**Westside Tribal Caucus**

\*\*Jim Peters (NWIFC)  
Ash Roorbach (NWIFC)  
Curt Veldhuisen (SRSC/Co-chair)  
Joseph Pavel (Skokomish)

**Adaptive Management Program/CMER**

**Staff**

Mark Hicks (AMPA)  
Ben Flint (DNR)  
Teresa Miskovic (DNR)  
Eszter Munes (DNR)  
Heather Gibbs (DNR)  
Jacob Hibbeln (DNR)