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 LLC

TO: Forest Practice Board

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

DATE: July 26, 2013

SUBJECT: Quarterly update on Policy Committee Priorities for 2013

The TFW Policy committee continues to work on their priorities as approved in the 2013 Board Work Plan. The following is an update to current status on several priorities:

- **Forest Practices Board Manual Sections** – DNR has incorporated amendments from the Policy committee to Board Manual Section 22, *Guidelines for Adaptive Management Program*. The amendments incorporate elements of the settlement agreement relating to re-defining caucuses, dispute resolution processes, and the CMER master project schedule. Stakeholders representing many of the caucuses have completed participation in the DNR development of Board Manual Section 5, *Guidelines for Forest Practice Hydraulic Projects*. These sections of the board manual will be presented to the Board for your approval at the August 2013 regular meeting.

- **Type N Water Strategy** – Policy has approved the Type N Strategy. The remaining part of the strategy that Policy has responsibility for is to develop board manual guidance to assist in the identification of the upper most point of perennial flow. There is general agreement that the preferred option for identifying this point is during the "dry season." However, it is recognized that there needs to be methods that allows for identification at other times of the year. The Policy committee has been working to develop guidance for determining a wet season default distance to locate the upper most point of perennial flow in Type N Waters, however, there is no consensus on a proposed default table nor is there consensus on several other alternatives.

  Upon approval of guidance to identifying the upper most point of perennial flow by the Policy committee, DNR will convene a stakeholder process to develop the guidelines to locate the break between Type Np and Ns Waters for inclusion in Board Manual Section 23, *Guidelines for Field Protocol to Locate Mapped Divisions between Stream Types and Perennial Stream Identification.*

Given the current impasse, presenting a draft board manual section for the Board's consideration at your February 2014 regular meeting is uncertain.

- **Type F Waters –** The Policy committee has scheduled specific meetings to identify objectives and draft a charter to develop a process to determine the Type F/N Water break as part of a response to a dispute resolution request. Based on incremental progress, Policy has continued to extend the deadlines established in the dispute resolution agreement to now finalize a charter on or before Policy's September 5, 2013 meeting.

- **Mass Wasting Effectiveness Monitoring Project –** The Policy committee amended the report at their May 2nd meeting to add the minority reports and author's responses and to initiate action on the report. The Policy committee has created and approved a charter and will finalize any recommendations for presentation to the Board at your February 2014 regular meeting. Any work that stems from these recommendations will need to be initiated in calendar year 2014.

- **CMER Work Plan and FY 2014 budget –** It was suggested that the Policy committee take more time to address the CMER work plan and budget, such as taking one full day in March 2014 to review the CMER work plan and then spending the April Policy committee meeting reviewing the budget to make recommendations to the Board.

- **WDFW Code Revisions –** The Washington Department of Fish and Wildlife (WDFW) is in the process of revising the Hydraulic Code rules. Changes to Hydraulic Code rules that impact forest practices must go through the Adaptive Management Process, per Appendix M of the Forest and Fish Report. WDFW plans to present to the Policy committee in October draft Hydraulic Code rules and the supporting materials used to support draft rule changes. The Policy committee will then decide whether or not to complete an adaptive management program review. If Policy accepts this review, Appendix M directs Policy to issue a final report to WDFW. WDFW is then directed to take these findings and incorporate them into the normal HPA rule adoption process. Policy needs to consider workload (both what kind of effort it may take and what may need to be delayed in order to do this work), whether the timeline suggested by WDFW is reasonable (given that we work in a consensus environment), and how to write the report if we don't achieve consensus. The Policy committee has requested that WDFW and DNR clarify how their respective rule making process will interact depending on whether Policy takes on this work or not. The Policy committee has not accepted this work or the timelines proposed by WDFW.

The Policy committee continues to work on priorities as identified in the 2013 Board Work Plan. The capacity for the Policy committee to accept any new work as assigned by the Forest Practices Board, or taken on by the committee for other reasons, may require delaying existing priorities.

cc: Forest Practice Board Liaisons
FFR Policy