



MEMORANDUM

TO: TFW Policy Committee

FROM: Jim Hotvedt, Adaptive Management Program Administrator 

DATE: February 27, 2014

SUBJECT: Request to consider a WFPA survey in current discussions related to identifying the uppermost point of perennial flow

The Washington Forest Protection Association (WFPA) has requested that the Adaptive Management Program (AMP) consider a survey conducted by WFPA by Martin Environmental entitled "Survey of Channel Distances from Uppermost Point of Perennial Flow to Channel Head: Coastal and Western Washington" in the current discussions related to identifying the uppermost point of perennial flow (UMPPF). A letter of request to me dated February 10, 2014, was received from WFPA along with a copy of the survey dated January 6, 2014 (see attached).

The Forest Practices Board expected use of outside science, including pertinent studies not published in CMER-approved, peer-reviewed journals, in adaptive management deliberations (WAC 222-12-045(2)(c) and Forest Practices Board Manual Section 22 Guidelines for Adaptive Management Program, Part 4 Scientific Peer Review Process). The Board recognized that applicable historic information, privately produced technical reports, and unpublished data may have value and should be considered as long as they can be assessed for accuracy and credibility (M22-5).

Both the WAC and Board manual are also clear that any participant in the Adaptive Management Program can initiate an adaptive management proposal (WAC 222-12-045(2)(d)(i)), where "proposal" is used generically to identify any form of request, question, task, project, sub-program, etc., whose end product may affect changes in forest practices or otherwise meet one of the program's goals and objectives (M22-6).

All proposals from the Board (including public requests) or an AMP participant are submitted to the Adapative Management Program Administrator who will assure that the proposal identifies:

- 1) The affected forest practices rule, guidance, or DNR product;
- 2) The urgency based on scientific uncertainty and resource risk;
- 3) Any outstanding TFW, FFR, or Policy agreements supporting the proposal;
- 4) How the results of the proposal could address Adaptive Management Program key questions and resource objectives or other rule, guidance, or DNR product; and

- 5) Available literature, data and other information supporting the proposal.

These items were addressed in WFPA's request.

The Board Manual guidelines for the AMP state "The Administrator determines a proposal's applicability to the AMP by assessing for management and resource implications based on the Framework for Successful Policy/CMER Interaction (Appendix B)." The AMPA is asked to provide a coarse-level estimation of the expected end results or a range of possible results that may be associated with each proposal. This is considered by answering a series of eight questions listed in the Board Manual (M22- 8&9).

My responses to the eight questions are as follows:

- 1) Is the proposal intended to inform a key question, resource objective, or performance target from Schedule L-1?

The proposal likely informs the Schedule L-1 resource objective for hydrology.

- 2) Is the proposal intended to implement projects listed in Schedule L-2?

The study is not a project listed in Schedule L-2. This proposal was implemented by the WFPA to provide additional information to the Policy Committee for its consideration in on-going discussions on wet-season default distances between the channel head and the uppermost point of perennial flow.

- 3) Is the proposal intended to inform the forest practices rules, guidance, or DNR product? Is the specific rule, board manual section, DNR product, or effectiveness of compliance monitoring cited and key language provided correctly? If the proposal is for a new forest practices rule, does it fill a gap? If so, would it fit within the current forest practices structure?

Information from this survey may help inform forest practices rules (WAC 222-16-031(4)) and guidance (draft Board Manual Section 23) regarding locating the uppermost point of perennial flow. In particular, the WFPA survey may provide additional information that would help the Policy Committee develop and recommend a wet-season default for inclusion in a final Board Manual Section 23. It does not request a new or revision to an existing forest practice rule.

- 4) If the proposal includes a completed study, was the study carried out using protocols and standards similar to CMER (i.e., study design, peer review)?

This survey is being presented to the Policy Committee as a completed project report. The study appears to have followed a traditional scientific study format - Problem statement, objectives, methods, results, and conclusions/ discussion. Citations to a similar study and a description of methods are provided within the body of the report and Appendix A, the latter for field protocols. To my knowledge, the report has not been independently peer reviewed or assessed for accuracy or credibility.

5) What does the study tell us?

Using approved Forest Practices Applications, this study provides estimates of uppermost point of perennial flow to channel head distances on WFPA-member forestlands. The study provides a number of statistics, including mean and median distances by precipitation zone and by lithology type.

The study provides results from field-observed upper most points of perennial flow that are routinely established and approved through the Forest Practice Application process.

6) What does the study not tell us?

The report does not compare the objectives, methods, results or conclusions with a similar CMER study referenced in the report (e.g., Palmquist, R. 2005a).

The report was not designed to provide characteristics or criteria that could be used for finding the uppermost point of perennial flow, or attempt to “define” the uppermost point of perennial flow.

Finally, the report does not provide information on the potential effects on resources of changing or altering default distances. It was neither an effectiveness nor a validation study.

7) What is the relationship between this proposal and any other studies that may be planned, underway, or recently completed? Cite the information and provide a coarse assessment of the literature, data, or other scientific information provided and determine whether any of the literature or data has been peer reviewed. Identify whether the literature or data is applicable to Washington State forest practices issues. Factors to consider in answering this question include, but are not limited to:

- 1) Feasibility of obtaining more information (within or outside AMP) to better inform Policy about resource effects.
- 2) Whether other studies reduce uncertainty.

This study will likely complement a previous CMER and other studies (e.g., Pleus and Goodman (2003) and Palmquist (2005)).

A more thorough review of each study’s objectives and methodologies will be required to determine how comparable the results actually are. Often seemingly similar studies have different critical questions or objectives potentially causing direct comparison of results difficult.

8) How much of an incremental gain in understanding would/do the proposal results represent? Explain how the proposal results might affect the current rules, numeric targets, performance targets, or resource objectives.

During the Policy Committee’s development of the Type N strategy, the landowner caucus raised an issue with the draft Board Manual Section 23 wet-season defaults. The results of this study add to the limited body of studies

characterizing the distance between channel head and the uppermost point of perennial flow in western Washington. Consideration of the results in this study could affect agreement on wet-season default distances to put in the Board Manual.

The landowner caucus raised an issue with the draft Board Manual 23 wet-season default channel head to uppermost point of perennial flow distances during the course of developing the Type N strategy, but had little to no information or data to illustrate the significance of their issue. Consequently, the caucus took it on themselves to develop that information. Based on my “coarse-level” review, this study may provide information to the Policy Committee that could be used for clarifying issues raised by the landowner caucus about the draft wet-season default distances under consideration for Board Manual Section 23.

The landowner caucus is requesting that the results of their “applied” study be considered in the current Policy Committee discussions related to identifying the uppermost point of perennial flow and the associated development of a wet-season default table for inclusion in a final Board Manual Section. Believing in the TFW Policy Committee ground rules related to solving problems collaboratively and addressing the issues of other caucuses, I recommend

- 1) That Policy accept the proposal;
- 2) That the proposal go down the Policy track; and if desired
- 3) That Policy request CMER to assess the report for technical credibility using recommendations for use of non-CMER science recently developed and approved by CMER.

To be clear, I am not recommending that the Policy Committee accept the results of the study, *per se*, or that the Policy Committee replace already existing draft wet-season default distances based on prior studies. Rather, I am only recommending that the Policy Committee accept the proposal, assess it for technical merit, and if warranted, consider the information contained in the report when discussing and/or deciding upon potential wet-season default distances for uppermost point of perennial flow.

Citations

Pleus, A. and P. Goodman (2003) Type N Stream Demarcation Study: 2002 Tribal Perennial Stream Survey Data Collection Using CMER Methods. Tribal TFW/Forests & Fish Program Report

Palmquist, R. (2005) Type N Stream Demarcation Study Phase I: Pilot Results. Washington State Cooperative Monitoring, Evaluation, and Research Committee (CMER) Final Report

Palmquist, R. (2005) Supplemental Type N Demarcation Analysis Version 2.4. Prepared for the Policy Subcommittee Type N Demarcation Study