

Forests & Fish Policy Committee
 March 7, 2013 Meeting Summary

Decisions and Action Items from Meeting

Decision	Notes
1. Facilitators to edit and re-circulate February 7, 2013 Policy meeting summary with edits as discussed.	
2. Move the July Policy meeting from July 4 to July 11. Extend Type F dispute resolution process through July 11.	
3. Extend facilitation workplan through June 30, 2013 and then discuss a new workplan after June 30.	
4. Hold the Type F dispute resolution meetings to develop the Type F Charter on May 16, May 30, and June 12, all from 1pm-4pm at Ecology. June date only if needed.	
5. Approve DNR's proposed language change to recommendation 2.b. in the Type N Strategy Summary Document.	Full consensus of all caucuses voting.
6. Approve the full Type N Strategy Summary Document with the pre-approved language change to recommendation 2.b.	Full consensus of all caucuses voting.

Action Item	Assignment/Notes
1. Edit February 7, 2013 draft meeting summary; disseminate as soon as possible. Policy to review for approval at the April meeting.	Bob Wheeler & Claire Turpel
2. Email two-page Conservation Caucus positions document on Type F to Dawn Hitchens to circulate electronically.	Mary Scurlock
3. Edit Type F Objectives & Issues table with comments and re-circulate.	Bob Wheeler & Claire Turpel
4. Coordinate review and comment period for Forest Practices Hydraulic Project Integration rules within five-week window.	Marc Engel
5. Coordinate review and comment period prior to and following special Policy meeting for Settlement Agreement Reform Rulemaking.	Marc Engel
6. Coordinate Doodle poll for Settlement Agreement Reform Rulemaking special meeting the week of April 8.	Claire Turpel
7. Send CMER workplan, budget, and Master Schedule as soon as possible.	Jim Hotvedt

Introductions – Adrian Miller and Stephen Bernath, Co-Chairs, welcomed the group and led introductions (*please see Attachment 1 for the list of attendees*). For this meeting, Dave Powers will represent the federal caucus as Marty Acker is temporarily a member of the public.

Agenda – Bob Wheeler reviewed the agenda. Stephen Bernath suggested adding a topic after Meeting Notes to discuss the facilitators' contract.

July Meeting – The Policy Committee (Policy) agreed to move the July meeting to July 11 instead of July 4.

Annual Budget Meeting – The Policy Co-Chairs reminded the group that the April Policy meeting will focus on the updated CMER workplan in the morning session and will focus on the budget in the afternoon. This will allow Policy to submit the budget for Policy and CMER to the Forest Practices Board (Board) at their May 14th meeting. This meeting will be held in the usual conference room at the Department of Ecology (RS 16-17, first floor).

The group discussed suggestions for specific topics at the April meeting. One topic is to discuss CMER's need for more scientists. This could be paired with discussing the need to involve more people in the TWIGs. Then the group discussed the Master Schedule and its relationship to the CMER workplan and budget. The Master Schedule forecasts out 20 years while the workplan and budget are currently scoped for one year. Because of the Settlement Agreement Reform Rulemaking process, at the May meeting the Master Schedule will go to the Board for review only; the one-year workplan and budget will be reviewed for approval by the Board. Also at their May meeting, the Board will likely approve DNR staff to file CR-102 to initiate the public comment period for the Adaptive Management Program (AMP) Reform Rulemaking. If Policy changes something on the CMER budget at their April meeting, the Adaptive Management Program Administrator (AMPA) will amend the Master Schedule to sync with the budget. The CMER Co-Chairs noted that CMER would like to retain some flexibility to the workplan and budget in case the need for studies changes.

Meeting Notes – Policy reviewed the February 7, 2013 draft meeting summary. Two minor edits were made, then a larger discussion ensued where members asked the facilitators to modify the Decisions and Actions table at the top as well as add more information to the body of the summary about the Type F dispute resolution process discussion. The facilitators will edit and email the document as soon as possible and Policy will review for approval at the April meeting.

Facilitation Contract – The facilitators left the room for this discussion. Policy agreed to extend the facilitation through the fiscal year (June 30, 2013). The facilitators' contract goes through December 31, 2013, so discussion will follow about whether to continue the facilitation after June 30th.

Type N Policy Subgroup – This group met last on February 7th, when they agreed that there should be more work done by the Type N Technical Subgroup. They submitted their recommendations to full Policy. Policy discussed the recommendation 2.b. on page 31 that reads that DNR should develop and release a guidance memo for conducting the Dry Season Method before the dry season begins for 2013. The Subgroup developed this recommendation to help bridge the timeframe between when the dry season begins and when the Board Manual will be revised. DNR is concerned about the commitment outlined in the recommendation; the DNR representatives will need to check with others at DNR before fully committing to the recommendation. This began a discussion about whether or not Policy should consider the Type N Strategy Document for approval at this March meeting or at a subsequent meeting when more information from DNR might be available; or if the Strategy Summary Document should be approved in some form in order to keep the wheels moving in preparation for the upcoming dry season.

After a pause for intra- and inter-caucus discussions, Policy re-convened about the Type N Strategy Summary Document. DNR proposed that the language in recommendation 2.b. be revised to read “Policy recommends DNR develop and release guidance incorporating the draft Board Manual recommendations for conducting the Dry Season Method prior to the 2013 dry season.” The Conservation Caucus initially expressed concerns about changing the recommendations language. They ultimately did not oppose the language change because of assurances from DNR on how to provide the discussed guidance. DNR is unable at this point to give a clearer sense of the guidance format but they will send it to Policy once they discuss it within DNR.

Policy voted on this proposed language change. It was approved with the following votes: State Caucus – yes. Conservation Caucus – yes. Landowner Caucus – yes. Tribal Caucus – yes (westside – yes; eastside – yes). Federal Caucus – not voting. County Caucus – not voting.

Policy then voted to approve the full Type N Strategy Summary Document with the pre-approved language change in 2.b on page 31. It was approved with the following votes: State Caucus – yes. Conservation Caucus – yes. Landowner Caucus – yes. Tribal Caucus – yes (westside – yes; eastside – yes). Federal Caucus – not voting. County Caucus – not voting.

By approving this Strategy, Policy has accomplished a Clean Water Act milestone. Mark Hicks was applauded for his efforts to complete this.

Type F Brainstorm – Bob Wheeler reviewed the Objectives & Issues table that the facilitators drafted and circulated. This table reflects what the facilitators heard from at least one person from every caucus prior to the March Policy meeting. This brainstorm session was focused on identifying other objectives and issues that could be added to the table; substantive discussion will begin in mid-May. Several participants suggested additions to the table; the facilitators will add these to the table in the relevant area and re-circulate the table via email. Mary Scurlock shared the two-page document from the Conservation Caucus that outlines their perspective on several Type F issues; she will also email Dawn Hitchens the document to circulate electronically.

The group considered the proposed dates for the Type F dispute resolution meetings devoted to developing the Type F Charter. The dates agreed to are May 16, May 30, and June 12, all from 1pm-4pm. The June date will only be used if needed to finalize the Charter. These meetings will be held at Ecology. While one Policy member expressed frustration at the slow timeline, another explained that this way, the monthly Policy meetings will allow for time to work on other topics aside from Type F.

Legislative Update – DNR did not have any bills of relevance to share with Policy; all the bills they were tracking did not progress out of committee. HB 1374 could allow the Chair of the Energy Facility Site Evaluation Council to call on DNR to appoint a designee to participate, but that is still uncertain at this point. The state is preparing the budget and so far no information has come out about that, though the budget forecast is expected to be available March 20. No other Policy Committee members had legislative updates.

WFPA shared that the Governor has put forward bills about climate change and emissions profiles to meet Washington's emissions limits. The Governor's request is to do a "five-corner discussion" about these bills, which will include representatives from the House, Senate, Democrats, Republicans, and the Governor's office.

Forest Practices Hydraulic Project Integration Update

Concurrence: Progress on the concurrence rules is going well. With the recent signature of WDFW's director, the concurrence rules will soon be in place.

MOA between DNR/WDFW: The Memorandum of Agreement was completed and signed between DNR and WDFW before the December 31, 2012 deadline.

Board Manual: DNR has convened a full stakeholder group to go through the Board Manual changes. It is going slowly. This stakeholder group is scheduled to meet two more times.

Integrated Rules: DNR staff has completed a first draft of the Forest Practices Hydraulic Project rules and WDFW is currently reviewing and will provide comments. Everyone will have a chance to review these and Marc Engel will coordinate the review and comment period within the next five weeks before the deadline. He will coordinate with the Policy caucus leads and ask that they coordinate within their caucuses to help achieve the review and comment period by the five-week deadline. All the comments (particularly on 222-21-010) will be consolidated and incorporated into an update to the Forest Practices Board. DNR staff will present the draft rules with comments to the Board for their approval. The Board will then direct staff to file CR-102 and initiate rule-making, which will start the process of four hearings.

Settlement Agreement Reform Rulemaking: DNR is working to put into draft rule language for 222-12-014. This has the same five-week window for review as the Board Manual draft language. Marc Engel will also be coordinating this review process. Policy will convene a special 2-hour meeting to discuss the draft language that will be submitted to the Board in May. This meeting will be scheduled for the week of April 8 (the facilitators will coordinate a Doodle poll to find the best day and time). DNR has hired a new lead for rulemaking, Marc Ratcliff. He has worked in southwest Washington and has been a Forest Practices Forester for the last six years, has tackled substantive issues within forest practices, has worked with State Lands, and studied forestry with an emphasis in policy.

Forest Practices Board – February 12th Board Meeting – Marc Engel updated the group about the Board's action items. They directed DNR staff to file CR-101 to notify the public that the Board is considering rulemaking. They also heard the need to hire another CMER scientist and approved it accordingly.

The Board also discussed amendments to their 2013 workplan. They scheduled the Clean Water Act annual report in August and changed the Board Manual development to complete the Forest Practices Hydraulic Project integration. They also delayed the Wetland Delineation section of the Board Manual to an undetermined time in the future and directed Policy to complete the work identified in their February 8, 2013 memo. The Policy Co-Chairs discussed how to better sync Policy and the Board. They hope to

have the workplan to discuss at the July Policy meeting so it can be ready to update the Board at their August meeting.

Post-Mortem Findings Report Package Update – The 6 Questions are almost done; the responses to each question will be broken into two sections: from the consensus CMER members and from the non-consensus CMER members. Jim Hotvedt has a draft Executive Summary complete but is looking to refine it before it's ready to go to Policy. He has a reviewer looking at it and he hopes to send it within the next two-three weeks. Policy directed him to flesh out where areas of agreement or disagreement lie; Policy can take action on the next steps. It was noted that at some point, Policy should discuss how to reduce the potential for disagreement among CMER authors in the future. Mark Hicks stated that CMER already has initiated changes to prevent this from happening in the future. Policy agreed that they would like to spend some time with the report and then if wanted, invite CMER authors to present to and answer questions from Policy.

CMER Update – Mark Hicks and Chris Mendoza, CMER Co-Chairs, reviewed CMER updates:

- At the last CMER meeting, CMER approved their FY 2014 workplan and budget.
- CMER approved revisions to Chapters 4-6 of the Protocol & Standards Manual. They have now updated six chapters, and are looking to update Chapter 7 next, which will be substantive. When CMER's finished with Chapter 7 they will present to Policy the outcome and highlights of their revision process.
- CMER also approved the final report for Eastside Type F Extensive Status and Trends Study. This raised the question: do companion studies have to go through independent scientific peer review (ISPR)? This topic will be addressed at an upcoming Policy meeting.
- TWIG members have been identified for the Eastside Type N Effectiveness Study. This was a rocky process; CMER is looking to smooth out how to identify people for studies.
- The process has just begun to identify people for the Westside Type F Effectiveness Study Initial Writing Team (which will precede the TWIG).
- The Tailed frog literature review report and the Buffer/shade (amphibian) report should be coming back from ISPR soon.
- CMER has not yet begun the Eastside Type N Extensive Study.

Policy briefly discussed the idea of Extensive Studies and how to identify if the data is still useful or if CMER can extrapolate some trends out of that data.

Closing – Policy decided to have decisions more clearly articulated on the agenda so members know what they will be voting on. Everyone was encouraged to be at the April Policy budget meeting in person, if at all possible. This meeting will probably have many Chairs of the CMER SAGs because they can help answer questions.

Policy also discussed agenda topics for upcoming meetings:

- April Policy meeting agenda topics:
 - Extensive studies: discussion of value and continuing with them or not in the future (not high priority) – first part of discussion
 - Budget and related issues:

- CMER scientists (finding more scientist capacity for TWIGs, etc.)
 - Master Schedule syncing up with workplan and budget
 - Facilitation budget
 - Legislative budget impacts
- CWA assurances (Mark Hicks) and relation to budget
- Special April Policy meeting (April 10): Preview of draft Settlement Agreement rule language
- May Policy meeting agenda topics:
 - Post Mortem Findings Report Package
 - FP/HP integration update
 - Type F brainstorm continued on Objectives & Issues table
 - Discuss whether CMER Westside Type F and N extensive status and trends reports should go through ISPR
 - Extensive Studies: discussion of value and continuing with them or not in the future (not high priority) – second part of discussion

Attachment 1 – Attendance at 3/7/13 Meeting by Caucus

Conservation Caucus

Mary Scurlock, Conservation Caucus
 Chris Mendoza, Conservation Caucus

County Caucus

Federal Caucus

Dave Powers, EPA (phone)

Landowner Caucus

Kevin Godbout, Weyerhaeuser
 Doug Hooks, WFPA
 Adrian Miller, Longview Timber, Corp. (Co-Chair)
 Dick Miller, WFFA
 Karen Terwilleger, WFPA

State Caucus

Stephen Bernath, Ecology (Co-Chair)
 Terry Jackson, WDFW
 Marc Engel, DNR
 Mark Hicks, Ecology
 Mary McDonald, DNR

Tribal Caucus

Chase Davis, UCUT (phone)
 Mark Mobbs, Quinault Nation
 Nancy Sturhan, NWIFC
 Curt Veldhuisen, Skagit River System
 Cooperative (phone)

Others

Marty Acker, member of the public
 Jim Hotvedt, Adaptive Management Program Administrator (AMPA), DNR
 Claire Turpel, Triangle Associates (facilitation team)
 Bob Wheeler, Triangle Associates (facilitation team)

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status	Notes
Type N Board Manual Development	Type N Policy Subgroup	One remaining issue to resolve: determination of uppermost Type N break, particularly during the wet season.	Policy approved language change to recommendation 2.b. and full Strategy Summary Document on March 7. Type N technical subgroup meetings are being scheduled.
Type F	Facilitation team, with Policy Co-Chairs	Series of meetings focused on this topic set for May/June 2013	Send any thoughts about Objectives & Issues table to facilitation team before May 16.
FPHP Integration		Begin CR-102 process, pending Board decision at the May FPB Meeting	
Settlement Agreement		Begin CR-102 process, pending Board decision at	Focused Policy meeting on April 10.

Priority	Assignment	Status	Notes
		the May FPB Meeting.	
Policy recommendations based on Post-Mortem Report	Jim Hotvedt	Findings Report Package to come to Policy soon.	
Ongoing CMER reports reviewed by Policy	Mark Hicks & Chris Mendoza, CMER Co-Chairs	CMER Co-Chairs to give update(s) as needed at April Policy meeting	

*This table is meant to note the Policy Committee priorities that were sent to the Forest Practices Board and any other major topics or issues that arise during the year.

Attachment 3 – Entities, Groups, or Subgroups: Schedule and Notes

Entity, Group, or Subgroup	Next Meeting Date	Notes
Forests & Fish Policy Committee	April 4 – focused on Budget Retreat for CMER budget and workplan	April 10: Focused meeting to discuss Settlement Agreement Reform Rulemaking.
CMER	March 26, 9am – 4pm	
Type N Subgroup		Technical group meetings being scheduled.
Type F Subgroup		Brainstorm objectives/issues for Charter; send any thoughts to facilitation team before May 16.
Forest Practices Board	May 14	

Attachment 4 –Parking Lot & Ongoing Issues

- LEAN Process – consider how to increase efficiency and speed up timeline
- 2-year budget and workplan – consider for 2015-2017 biennium
- Consider how to reduce CMER non-consensus
- Science workshop for mass wasting and Post-Mortem Report.
- How to prevent science/policy decision split (consider changes from CMER)
 - Action: Have quick re-orientation (from Nancy?) about protocols document, organization, where they can get a copy of it is, highlights. (To address science/policy split.)