

Timber, Fish, & Wildlife Policy Committee
January 8, 2015 Meeting Summary

v. 1-27-15

Decisions and Actions from Meeting

Decision	Notes
1. Send edits on December 4 meeting summary to Claire Turpel.	Any interested caucus
2. Received and took action on the <i>Effects of Forest Roads and Tree Removal In or Near Wetlands of the Pacific Northwest: A Literature Synthesis</i> .	Action is unspecified at this time.
3. Received and supported the <i>Wetland Research and Monitoring Strategy: Forest Practices and Wetlands</i> .	As studies are being developed (pre-designed), Policy asked CMER to consider both biotic and abiotic factors of the potential study.
4. Advised UPSAG to find a way to use the \$50,000 as efficiently as possible before June 30.	

Action	Assignment
1. Share DNR's expectations for how to complete recommendations from Policy on unstable slopes.	Chris Hanlon-Meyer
2. Report back to Policy on the outcomes of the Lean Process review.	Amy Kurtenbach
3. Summarize Policy's recommendations for unstable slopes and the action items for Policy, CMER, and UPSAG.	Mary Scurlock
4. Revise the January 30 electrofishing workshop agenda and share with caucus leads.	Stephen Bernath & Adrian Miller
5. Scope out the westside off-channel habitat field trip and meeting for March.	DNR
6. Scope out the eastside off-channel habitat field trip and meeting for April.	Ray Entz and Marc Gauthier

Welcome & Introductions – Stephen Bernath and Adrian Miller, Co-Chairs of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed participants and led introductions (*please see Attachment 1 for a list of participants*). The Co-Chairs reviewed the draft agenda which had no additions.

Announcements & Updates

- The U.S. Fish & Wildlife Service (USFWS) will have a new manager starting February 2. Ken Berg was the recent manager and now Eric Rickerson will take his place. After Eric is in his new position, Marty Acker is happy to coordinate meetings with Eric for Policy caucuses.
- Legislative and AMP update
 - The legislative session begins on January 12. A small group focused on the strategy to get the Adaptive Management Program (AMP) funded in this legislative session continues to have weekly strategy conference calls. The AMP was funded in the Governor's proposed

- budget. Some have heard from House leadership that if the program is funded in the Governor's budget, they will support it being funded through the legislative process.
- On January 15 at 1:30, a small group will provide presentations at a work session at the House Natural Resources Committee about the merits of the AMP and why the legislature should keep the funding for that program.
 - On January 22 and 23, DNR scheduled legislative days. The evening of January 22, the Society of American Foresters will sponsor a legislative reception at the Children's Museum. This will be an effort to talk to legislators to support the concept of active forest management.
 - The CMER science conference will be February 11 and 12. The evening of February 11 will be another opportunity to educate legislators on the AMP at the Water Street Café. This will include recognition of CMER science work, honoring scientists, and highlighting the need to continue this work.
 - Some anticipate this being a difficult legislative session partially due to the amount of increased revenue proposed by the Governor, particularly the cap and trade program and the capital gains tax. Several caucuses mentioned the importance of conveying to legislators that the AMP is critical and should be funded. It was noted that the more caucuses work together to communicate that message to legislators, the better.
- Budget update from DNR
 - Capital budget:
 - Family Forest Fish Passage Program (FFFPP): Requested \$11.54 million, the Governor's budget included \$10 million. That would leave out an additional program inventory.
 - Forestry Riparian Easement Program (FREPP): Requested \$11.169 million, the Governor's budget included \$3.5 million.
 - Rivers and Habitat Open Space Program: Requested \$4 million, the Governor's budget included \$2 million.
 - Operating budget:
 - Forest Practices Fund Exchange: No cut, though the Governor's budget shifted a portion of the funding source from the general fund to the Aquatic Lands Enhancement Account (ALEA). Forest practices qualify for ALEA funds because they are related to aquatic lands. In the past, the legislature gave itself authority to transfer funds from ALEA to the general fund, and this shift is supported by the projected revenue for ALEA. If passed by the legislature, this shift from general fund to ALEA for this Exchange would be permanent unless and until changed again. One caucus cautioned that the use of ALEA funds by Forest Practices is not universally accepted as an appropriate funding mechanism.
 - Division of Geology and Earth Resources: Requested \$6.584 million, the Governor's budget did not include this at all. However, some of the LiDAR and hazard zonation mapping work within this request was added to the Washington Department of Transportation (WSDOT) budget but the implementation of that is yet unclear.

- Forest Practices Compliance: Requested \$3.230 million, mostly from the general fund. The Governor's budget included \$707,000 from the general fund for FPARS and the IT roads position, and \$118,000 for the forest practices engineer position.
- AMP: Requested \$5.894 million, the Governor's budget included this in full.
- Questions:
 - *Why was FFFPP reduced?* DNR usually requests \$10 million, this time it was higher due to that additional inventory that was not included in the Governor's budget.
 - It is true that some funding requests are from current funding and some funding requests are from proposed new revenue.
- Bull Trout Overlay (BTO) Subgroup: The group will meet for the first time on January 9; more updates at a future Policy meeting.

December 4, 2014 Draft Meeting Summary

Some edits were suggested to the meeting summary but due to time were not resolved at this meeting. Caucuses will work offline to send those edits in and the meeting summary will be addressed at the next Policy meeting.

Forested Wetlands Literature Synthesis & Research Strategy – Dr. Paul Adamus, the CMER contractor who wrote the synthesis report, presented to Policy. The Wetlands Scientific Advisory Group (WETSAG) agreed that they needed more information than what is included in the literature review from Sarah Cook in 2005. They specifically wanted the review to show ideas with a testable hypothesis. They also asked Paul to look at the research strategy and how it can be synced with a timeline, organization, and efficiency. It was noted that the process at this meeting for Policy was to receive the literature synthesis and research strategy from WETSAG and then make a decision whether or not to take action. There are two decisions for Policy: to take action on the literature synthesis, which was informally done earlier when the AMP agreed to have Paul draft the research strategy; and to approve the research strategy (do not need to make this decision until a year from now). Paul is still on contract so that is why he is presenting today, but Policy can discuss the research strategy over the next year and figure out how it syncs up with the CMER workplan.

Overview

- Both documents focus on forest practices (tree removal, roads, chemical application).
- Wetland functions include:
 - Water quantity/hydrology
 - Water quality
 - Habitat (mostly as a result of water quality and quantity)
- Wetlands include:
 - Type A, along streams
 - Type B, in herbaceous meadows
 - Forested wetlands
- Wetlands can look dry in some seasons but can support species (especially coho and amphibians) in other seasons.

- Some seeps can qualify as wetlands.

Literature synthesis

- Expands upon the 2005 work.
- Summarizes current information and connections, and highlights research needs.
- Focused on information from Washington, Oregon, SE Alaska, British Columbia, and Alberta.
- Narrowed the review from 4,000 papers to 135. Paul found no studies of effects of forest practices on wetland/riparian areas in the Pacific Northwest, so he had to make inferences from existing literature in other regions.
- He inferred that in many wetlands, harvest will result in:
 - Rise in local water tables
 - Greater water yield
 - Warming
 - This all depends on geology, wetland type, connectivity, climate, different zones, etc.
- Based on the studies from other regions, one can also expect the following, though these would all need more research:
 - Increased windthrow
 - Increased light penetration in soil
 - More non-native plants
 - Decreased shade-tolerant species
 - Different wildlife
- Paul noted that he is uncertain about several areas of potential effects due to the lack of information. These include: higher water, timing and seasonal persistence of surface water, logging mimicking natural disturbances, time for re-growth and re-planting success, etc.
- One of the studies looked at headwater streams on the Olympic Peninsula and how extensive wetlands are in the headwater areas. This study showed that we may be ignoring wetlands, seeps, and springs that support the other water bodies traditionally included in the study of forest practices.
- Paul did some GIS queries, but the data sets those queries are based on are incomplete.

Questions & Discussion

- *What type of wetlands is most common in the Pacific Northwest?* Mostly, **large wetlands** in the Pacific Northwest are on urban or lowland areas.
- *What sort of information is on fish and amphibians?* There is some work in British Columbia and Alberta on birds in riparian zones. We know that fragmentation happens the most for amphibians but do not have a lot of information on that.
- The synthesis looked at the wet layer and hydric soils to capture potential locations.
- It was unknown how many FPAs were reviewed for this.
- It is unclear whether the “fish” vs. “non-fish” habitat distinction noted in the synthesis is consistent with the Type F/N distinction.
- The response to #4 in the 6 Questions includes only a conceptual statement because Paul did not have the means to look at the extent of the information. There is a potential that mitigation could be an effective response to that statement.

Commented [11]: Confirm this is correct

- Policy may want to recommend to the Board that there is a need for a more standardized approach to wetlands mitigation, both in identifying impacts and responding to them.
- This was discussed later in the meeting (see page 5).
- It was noted that the 6 Questions do not explicitly note that the research used for the synthesis included work outside the Pacific Northwest.
- Policy noted that it would be good to add the qualifiers from the literature synthesis into Questions 7-10, so as not to revise the 6 Questions.
- While the synthesis did not include literature showing what animals and plants use wetlands, it was noted that this could be a part of the ongoing research strategy. While it is not possible to categorize species as wetland-dependent or non-wetland dependent, one could make qualitative judgments.

Decision: After discussion, Policy voted unanimously¹ to receive and take action on the *Effects of Forest Roads and Tree Removal In or Near Wetlands of the Pacific Northwest: A Literature Synthesis*. The action is unspecified at this point.

Wetlands Research Strategy

- There is an existing wetlands research strategy but WETSAG was hopeful to better organize it. Paul's work largely re-organized the existing work rather than scrapping it and starting fresh.
- Paul identified two main areas related to wetlands research: roads or harvest. The roads area spurs one project (Effects of Forest Roads Near Wetlands), and the harvest area spurs two projects (Effects of Timber Harvest That Occurs Within Forest Wetlands, and Effects of Timber Harvest That Occurs Outside Wetlands).
- The strategy is only high level, the details will be discussed later for specific projects that would go through the regular CMER/Policy process.

Questions & Discussion

- Does the strategy include the function of wetlands on species? It is discussed generally without numbers or thresholds.
 - One caucus mentioned interest in learning more about fish within wetlands, though another caucus noted that the HCP is focused on habitat, not fish.
- The federal caucus noted that wetlands mitigation is not at a point where we can evaluate effectiveness. This would not require a rule change but might require additional work.
 - It was suggested that this conversation might be better suited as a separate conversation from the research strategy work. Ever since WETSAG attempted to do the wetlands mitigation study, it has been clear that the data from FPAs is not adequate to know if an individual landowner has followed the mitigation sequence provided in the rules. So it is difficult to design a study to figure out whether or not the mitigation is effectively protecting wetland function. This is not about forested wetlands, rather about Type A and Type B wetlands that may be encroached by roads.

¹ All caucuses except the non-industrial landowner caucus which did not have a representative present.

- Identifying this as an issue is the barrier to doing the research identified earlier by WETSAG. The problem is that there is not enough data to do the wetlands mitigation study and there is not a mechanism to do that study.
- Due to time, this discussion was set aside and flagged for discussion at the February Policy meeting.
- Policy discussed the options for taking action on this strategy: one option is to tell CMER to move forward on the strategy and another option is to have a Policy subgroup further develop the action around wetlands mitigation.
 - It was noted that pushing this discussion off by several months could negatively influence the budget conversation; it would be good to identify any budget needs earlier than later.
 - The Forested Wetlands TWIG already has the direction to go forward.
 - One caucus suggested incorporating more about fish and amphibians in the strategy. They would like to have serious consideration of the biotic components, meaning habitat and the change to species.

Decision: Policy reviewed and voted on the following decision:

1. Policy has received WETSAG's recommended *Wetland Research and Monitoring Strategy: Forest Practices and Wetlands*.
2. Policy supports CMER using the strategy to revise the CMER workplan.
3. Policy expects that as studies are being developed (pre-designed), CMER considers both biotic and abiotic factors of the potential study.

After discussion, Policy agreed on this multi-part decision by consensus (the conservation caucus voted sideways).

Nonpoint Source Plan – Ben Rau from the Department of Ecology updated Policy on the work he is leading for the agency to update the Nonpoint Source Plan by June 30. Forestry is a large part of the nonpoint strategy.

Overview

- EPA guidance outlines updating nonpoint source plans every five years.
- EPA is looking for the following in the nonpoint source plans:
 - Explicit short- and long-term goals, objectives, and strategies for addressing nonpoint pollution.
 - Focus on implementation.
 - Strengthening partnerships.
 - Better coordination of state programs, including aligning with TMDL programs and other groundwater protection/point source programs.
 - Include all federal statutory requirements.
- Timeline
 - Webinar to kick off the update process: early 2015.
 - Draft Plan: winter/spring 2015.
 - Public meetings: spring 2015.
 - Public comment period: spring 2015.
 - Ecology is available to meet with all stakeholders as needed.

Questions & Discussion

- Policy suggested that Ecology do a similar presentation to the Upper Columbia United Tribes (UCUT).
- *Will there be a monitoring plan?* There will be a monitoring plan for freshwater and marine monitoring, and effectiveness monitoring related to TMDLs.
- *Will there be a correction or enforcement component, especially in monitoring TMDLs?* The TMDL program is good at creating the plan, but sometimes the implementation is not strong. The emphasis with this effort will be implementation and leveraging resources in the TMDL and nonpoint programs.
- The nonpoint plan will reflect the nonpoint emphasis on compliance or inspectors.
- *Will the plan include a compliance component or is it aimed at gathering information so that other program(s) can use that information?* The plan will reflect legal mechanisms to enforce pollution in the state, but it will not be limited to Ecology's enforcement.
- *Do the Clean Water Act (CWA) milestones also reported on in the §319 program?* Ecology does report to EPA on the CWA milestones but not as a part of this effort.
- Ben agreed to come back to Policy once a draft of the updated plan is complete.

Unstable Slopes

Board Manual Section 16 Update – Marc Ratcliff updated Policy on the progress of the stakeholder group convened by DNR to revise Section 16. The second meeting is scheduled for January 9. At the first meeting in December, the group got through page 8 and the revised version was sent on January 5. The next few months will focus on clarifying or re-organizing the existing material. After that the group will focus on delivery and the science pieces to incorporate into the Section. The first Qualified Experts group convened in 2014 put together a huge amount of literature on unstable slopes, though it was known that run-out was missing from that. DNR asked experts to share run-out information with UPSAG who will move forward on compiling that information.

UPSAG Update

- UPSAG is aware of the \$50,000 that Policy put into the budget for this fiscal year, and they are working collaboratively to figure out how best to allocate it for the literature review. They are considering whether hiring an intern with input from UPSAG, hiring a consultant, or hiring a renowned Washington geologist is the best course of action. Because that funding should be spent by June 30, Policy advised UPSAG to err on the side of expediency.
- UPSAG is also focused on reviewing the literature in the Board Manual and summarizing those articles. They will also look at the FPAs reviewed by Doug Hooks in fall 2014, and see what pertains to groundwater recharge areas and/or glacial deep-seated landslides.

Joint SR-530 Landslide Commission Final Report

A link to the final report was sent to Policy; only one of the three main recommendations pertains to Policy's work. That recommendation is to expand data collection and landslide mapping efforts. As noted

earlier, DNR's budget request for LiDAR mapping funds was incorporated into the Governor's budget for WSDOT, so it will now be up to the legislature to approve or change that.

Type F

January 30 Electrofishing Workshop Draft Agenda – The Co-Chairs shared a draft agenda for the January 30 electrofishing workshop which Policy discussed and gave feedback on:

- The goal of the workshop is to inform everyone at a basic level of how the electrofishing process is done now.
- The practitioners' presentations should not focus on how to look at habitat in the field; that discussion will come later after this initial workshop. The importance of this workshop is to have the same information shared to all caucuses.
- The federal caucus noted that this could take Policy down a different pathway from what Schedule L-1 lays out. There was also concern that this workshop could avoid the information already identified during the mediation process.
- It was noted that the Type F issue is broader than electrofishing, but directly addressing electrofishing is a step in the process towards resolving the Type F disagreements.
- There was concern that if the workshop will be a day of people saying how the process currently is implemented, it will not be worth it for technical experts to attend.
- It was suggested that more than the landowners' practitioners should have time to talk, such as external reviewers.
- The Co-Chairs reminded Policy that this will not be the only day to discuss electrofishing, it is a day to begin the conversation again.
- From all the suggestions, the Co-Chairs will develop a revised agenda and share that with caucus leads before finalizing it prior to the workshop.

Off-Channel Habitat Field Trips

- Westside field trip: March 12 & 13. It is unclear whether this will be in the Skagit or Kitsap regions, but DNR is working with landowners to confirm site location(s).
- Eastside field trip: April 9 & 10. The Policy meeting will be at the Kalispel Tribe's casino.
 - For the field trip, UCUT has sites in mind to show off-channel habitat but they are not close together to see all in one day. Some of the best areas are far from Spokane and could make travel and logistics more complicated.
 - Policy discussed logistics of how to travel to the eastside; if people drive there might be more opportunities to see some sites on the I-90 corridor; if people fly the sites might have to be close in to Spokane.
 - UCUT will continue sketching out the multi-day event and discuss at a future Policy meeting.
- It was suggested that inviting Board members (or just some) would be a nice gesture.

CMER Update – Mark Hicks, Co-Chair of CMER, noted that while CMER is making progress, there are no major updates or issues to report at this time.

The Co-Chairs adjourned the meeting at 4:15pm.

DRAFT

Attachment 1 – Participants by Caucus at 12/4/14 Meeting

Conservation Caucus

Chris Mendoza
*Mary Scurlock

County Caucus

*Kendra Smith, Skagit County

Federal Caucus

*Marty Acker, USFWS

Landowner Caucus – Industrial (large)

Doug Hooks, WFPA
Adrian Miller, Olympic Resource Management
(Co-Chair)
*Karen Terwilliger, WFPA

Landowner Caucus – Non-industrial (small)

*Caucus leads

Others

Paul Adamus, Oregon State University
Leah Beckett, CMER
Harry Bell, WFFA
Amy Kurtenbach, DNR
Debbie Kay, Suquamish Tribe
Claire Turpel, Triangle Associates

State Caucus – DNR

Marc Engel, DNR
*Chris Hanlon-Meyer, DNR
Marc Ratcliff, DNR

State Caucus – Ecology & WDFW

*Stephen Bernath, Ecology (Co-Chair)
Mark Hicks, Ecology
*Terry Jackson, WDFW

Tribal Caucus – Eastside

Marc Gauthier, UCUT

Tribal Caucus – Westside

Mark Mobbs, Quinalt
*Jim Peters, NWIFC
Nancy Sturhan, NWIFC
Curt Veldhuisen, SRSC (phone)

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
Type N	Type N policy subgroup	On hold until other workload lessens.
Type F	Policy	<u>Electrofishing workshop</u> : January 30 <u>Westside off-channel habitat field trip</u> : March 12/13 <u>Eastside off-channel habitat field trip</u> : April 9/10
Unstable Slopes	Policy	Board accepted Policy's recommendations; now DNR/UPSAG are working on implementing those recommendations.
Bull Trout Overlay	Policy	To be further discussed by a subgroup of Policy members. First subgroup meeting: January 9, 2015, 9am – noon.
Adaptive Mgmt Program Reform Rule Changes		Accepted by Board at August 2013 meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
Ongoing CMER reports reviewed by Policy	Mark Hicks & Todd Baldwin, CMER Co-Chairs	CMER Co-Chairs to give update(s) as needed at Policy meetings; AMPA to give quarterly reports for when CMER studies to come to Policy

*This table notes 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
TFW Policy Committee	February 5, 2015	
CMER	February 2015	CMER Science Conference: February 11 & 12, 2015
Type N Policy Subgroup	TBD	On hold due to workload constraints.
Type F	January 30: electrofishing workshop March 12/13: westside off-channel habitat field trip April 9/10: eastside off-channel habitat field trip	
Forest Practices Board	February 10, 2015	