

## Timber/Fish/Wildlife (TFW) Cultural Resources Roundtable Meeting Meeting Minutes

Date: October 20, 2015

Location: Market Place Building / WFPA Conference Room – 724 Columbia St. NW, Olympia, WA 98501

Attendees: Karen Terwilleger, Washington Forest Protection Association (WFPA)  
Jeffrey Thomas, Puyallup Tribe of Indians  
Stephen Bernath, Washington Department of Natural Resources (DNR)  
Chad McCrea, Spokane Tribe  
David Powell, Confederated Tribes and Bands of the Yakama Nation  
Steve Barnowe-Meyer, Washington Farm Forestry Association (WFFA)  
Gretchen Kaehler, Washington Department of Archeology and Historical Preservation (DAHP)  
Robert Bass, Hancock Forest Management (HFM)  
David Morrill, HFM  
Eric Beach, Green Diamond Resource Company  
Joenne McGerr, DNR  
Jim Heuring, DNR  
Sherri Felix, DNR  
Note-takers: Agnes Castronuevo / Shannon Marsh, Terracon Consultants  
Facilitator: Rob Ziegler, Terracon Consultants

Via Telephone:

Mark Gauthier, Upper Columbia United Tribes  
John Sirois, Upper Columbia United Tribes

Next Meeting: November 17, 2015

1. Co-Chair Remarks
  - Jeffrey and Karen opened the meeting by welcoming all members.
2. Agenda Review
  - A suggestion was made and supported to move quarterly staff report to the end of the agenda.
  - With regard to the review of July and August meeting minutes, Karen suggested that the group focus on reviewing the September 15 minutes only. The July and August meeting notes are still in draft form and have yet to incorporate Karen's and others' notes from these meeting. It was agreed that both the July and August notes would remain in draft form and the Roundtable would not spend valuable time finalizing these notes. A request was made to ensure that the participant lists for both of these meetings were updated.
  - Stephen suggested moving the meeting to the Fish Commission as they have audiovisual capabilities, which may encourage greater participation by tribes. After some discussion, Jeffrey volunteered to reach out to the Commission to inquire about this possibility.
3. Review of September 15 Meeting Minutes
  - Rob Ziegler (Terracon) explained the process of creating the meeting minutes. Agnes types the "raw notes" as the meeting, these notes are then forwarded to Rob to synthesize and load into the established meeting minutes format.

3. Review of September 15 Meeting Minutes, cont'd
  - General input provided for the September meeting minutes included:
    - Be consistent on use of acronyms; spell out acronym the first time you use it
    - OK to attribute a particular discussion thread or topic to an individual; however, not necessary to link every single comment to an individual.
    - Don't use the term "action items" as these name is reserved for specific items that are reported out to the Forest Practices Board (the Board).
  - The timing of Roundtable meeting minutes and draft agendas was discussed. Proposed goals include distributing the draft meeting minutes by the Friday of the same week that meeting occurs as well as providing Roundtable participants with the draft agenda for the upcoming meeting two weeks prior to the meeting. This schedule will allow Roundtable members to meet with their respective caucuses and receive input prior to the meeting.
  - Robert Bass made a point of acknowledging the volunteer efforts of all those associated with the Roundtable.
  - With regards to agenda setting, Jeffrey indicated that he would always close each meeting with the question of what to talk about at the next meeting. Accordingly, not necessary to have a dedicated agenda slot for identifying next month's topics. Steve indicated that at the September meeting, DAHP requested time on the October meeting to discuss an issue; this issue did not make it to the October agenda.
  - David agreed with Jeffrey that we used to discuss (when functioning really well) future agenda items at the end of each meeting. We need to get back to putting this into the notes.
  - Jeffrey mentioned the challenge in being able to separate out facilitation and co-chair responsibilities for leading discussions. A discussion arose as to the contractual role(s) of Terracon – are they here to facilitate and note take or are they also here to assist with group dynamics and/or moving forward with the WAC 222-20-120 discussions? Sherri indicated Terracon can review group dynamics and make suggestion to improve these dynamics. DNR will provide Jeffrey and Karen with a copy of the Terracon contract. Stephen indicated that the policy group hired a facilitator two years ago and it working well for this group.
  - Rob recorded additional specific items for revisions.
  - Minutes were approved, with changes.
  
4. Discussion on Co-Chair Selection and Rotation Strategies
  - To kick-off this discussion, Rob relayed that well-functioning groups often use the safety net of group norms or principles. While the TFW ground rules are a great place to start, perhaps for today's discussions a working set of norms would be worthwhile to practice. Rob's suggestions for today were as follows:
    - Assume positive intent.
    - Downshift on the emotion. If you find yourself at a high emotional rpm (4<sup>th</sup> or 5<sup>th</sup> gear), use self-awareness and self-regulation to downshift to a lower gear.
    - Limit/eliminate jumping on or over someone who has the floor.
    - Leave accusations in the hall or in the parking lot. Go back to positive intent. When we are throwing out accusations, we are no longer in a productive space.
    - Begin the end in mind (Stephen Covey). What do we want out of this discussion? What does our finish line look like?

4. Discussion on Co-Chair Selection and Rotation Strategies, cont'd
- Roundtable members supported these group norms for today's discussions. Reference was made to the TFW ground rules and a suggestion was made to attach these ground rules to draft agendas when they are distributed, something that used to be done.
  - Robert asked about how to handle emotional upshifting; Rob's response was to "stop", "take a breath." As the facilitator, he can also use the time-out hand signal to put a pause into an emotionally overcharged conversation.
  - David Powell initiated the discussion by indicating that, over the 20 years he has been participating in the Roundtable, the process of co-chair selection has occurred informally, without being written down. While he doesn't believe in lifetime appointments, does not agree with term limits. If someone is doing a good job, they should be allowed to continue if they want. David suggested the strategy of 4-year terms staggered by two years (co-chairs should not change at the same time. Something more organized is reasonable and we should look at this discussion as a positive. At the beginning of Karen's term a lot go accomplished, even though she had a steep learning curve. The goal is not to eliminate anybody.
  - The actual Board motion was read and discussed, as follows: *"The Forest Practices Board request each of the TFW committees that do not have a process for selecting co-chairs, to discuss a possible process and report back to the Board in November. The process should consider term limits, how many consecutive terms, staggered terms, how co-chairs are elected whether by consensus or by a majority quorum of members. The co-chairs should be reflective of the participant pool."*
  - Jeffrey raised the issue of whether the Roundtable has formal reporting obligations to the Board; Stephen disagreed.
  - David Morrill asked why co-chair selection isn't a democratic process; acknowledging his unfamiliarity with Roundtable processes since he's new. David Powell indicated the group has elected co-chairs by consensus. After Jim Peters left, there have been two changes of co-chairs through consensus, which he favors.
  - Karen indicated that one of the reasons for the Board motion is that both of the other committees (CMER and Policy) have recently struggled with openings as they did not have an articulated process.
  - Jeffrey asked why the Small Forest Landowner committee is not being asked for a selection strategy.
  - Mark stated that, from his perspective, this is an important conversation. UCUT rotates their chairs through five tribes. Not ideal for one person to serve in a state of 30+ tribes. This is a conversation that this group needs to have.
  - Jeffrey agreed that it is important for the Roundtable to describe what its procedures are and how these procedures will be used for future purposes. The tribes go through a formal process of selecting their co-chair representative; he was designated back in 1994. Tribal co-chair should be a member of a fish and wildlife tribe and needs to be an enrolled tribal member, not an employee. Mark supported this idea that the tribal co-chair should be an enrolled tribal member.
  - Steve pointed out a clarification that the other co-chair position should not be described as an "agency" – should be changed to "entity." There was agreement that the other co-chair should be representing landowners, not an agency. Sherri pointed out that the cultural resource management plan (CRMP) came out of the Forest and Fish Regulations (FFR), a document dealing with landowners and tribes working together to protect cultural resources
  - A suggestion was made to have "tri-chairs" – one tribal, one landowners, and one agency, to include agencies that are managing lands (non-regulatory) such as the State of Washington Department of Fish and Wildlife (WDFW).

4. Discussion on Co-Chair Selection and Rotation Strategies, cont'd
- Robert Bass stated he was confused about the role of the co-chairs. The co-chairs should guide the team, not make decisions or set directions. They are not policy setters. Roundtable team sets policy and the co-chairs should put forward the wishes of the Roundtable team.
  - Rob noted that this should not be viewed as paper exercise – this is an opportunity for refining the future of the Roundtable and strengthening the co-chair positions.
  - Jeffrey indicated that co-chair rotation and selection strategies, once agreed upon, should be incorporated into the current charter.
  - In response to a question, Karen noted that the policy committee is tacking this request by writing a position description for the co-chair, which will be chaired the Board. This has been an important discussion for Policy, with the acknowledgement that there needs to be understanding that there is flexibility within the actual process.
  - Part of the discussion for the Roundtable should be about the responsibilities of the co-chairs. Co-chairs help navigate the issues, facilitate a path and make suggestions for moving forward. Also, what is the process for selection?
  - The question was asked whether Policy has anything about co-chairs in its charter. Karen indicated that Policy does not have a charter or an official manual. A charter is not a legally binding document.
  - Jeffrey requested to add the topic of rights to the topic of responsibilities. If you are the co-chair, how are people supposed to respond to you?
  - There was strong agreement about updating the Roundtable charter with the co-chair rotation, selection, responsibilities, and rights verbiage, once agreed upon.
  - The group specifically discussed term limits; points included:
    - Should not have limits – it's a thankless job and if someone wants to keep doing it, they should
    - Two ways to look at it. You may not get co-chairs unless there is an end to it. People want to know they will be relieved at some point. It takes a lot of commitment to be a committee co-chair – likely 30% of time out of regular job. People should be able to exit with grace in the future.
    - Should consider having a check-in with everybody about how things are going. Not a hard and fast set of rules. This would give co-chairs a chance to change if burned out or it's not working.
    - A four-year commitment is too long – two years is better.
    - As an experiment, question was asked if anyone present would be interested in a co-chair position. Two individuals raised their hands; Mark indicated he would encourage someone from UCUT tribes to be a candidate.
    - Mark: Two –year term, four-year limits would allow for people to get off after two years or stick around for four. We need to prioritize cultural resources as it is an important issue for all tribes. He advocated the opportunity opened up for tribes to be a co-chair for the Roundtable.
    - David indicated he has changed his opinion – there shouldn't be term limits; however, a two-year review schedule is important.
  - Jeffrey asked if tribal governments have a system in place and support from tribal leadership to be identify co-chairs for the Roundtable. Mark indicated yes, speaking for the three UCUT tribes.
  - Jeffrey responded that he did not believe there is a process in place for all WA tribes. There is a reason tribes aren't dealing with cultural resources at the leadership level.
  - Stephen suggested to Mark, Jeffrey, David, Chad and other tribal folks that this discussion of co-chair representation should be inter-tribal and not take place in this room. He supported the idea of tribes getting together to have this discussion. Jeffrey disagreed, asking who is going to get tribal leaders to do this?

4. Discussion on Co-Chair Selection and Rotation Strategies, cont'd
- Robert pointed out that more involvement results in a stronger team, stronger product.
  - Jeffrey stated that he has been using an inter-tribal outreach strategy since the inception of the Roundtable. Sherri asked if ITCRAG (sp?) still exists; Jeffrey responded that he facilitated its formation but it was not supported by tribal leadership.
  - When asked if folks felt ready to provide something for the November 10 Board meeting, the group responded with the following:
    - Let's indicate to the Board that the motion has generated a robust conversation, with many ideas on the table.
    - It was suggested to provide the Board a cleaned up version of "how we do it now" and indicated the Roundtable will continue to work on a process.
    - After lunch, the group refined the list of current state discussion points; Karen will provide these refinements back to Roundtable participants for any further comment.
    - Further discussion occurred around the issue of requiring the tribal co-chair to be an enrolled member, as this requirement would specifically preclude Yakama Nation from eligibility.
    - Additional discussion occurred around the process of tribal co-chair selection. Jeffrey suggested the revision of tribal co-chair selection occurs through existing inter-tribal designation processes.
    - Related discussion was the issue of different processes and criteria between the tribal co-chair and the landowner co-chair. One suggested revision is that tribes select with tribal representatives; the non-tribal chair is selected via consensus from the group, based on the history of the group.
  - This discussion was concluded, with Karen taking the responsibility of final edits to the current processes bullet points that will be presented to the Board. Rob pointed out that this conversation represents a minor victory, in that the group now has a solid platform of discussion and consensus to move into the future process discussion at a later time.
5. Quarterly Report to Forest Practices Board
- The Roundtable quarterly report is due back to the Board prior to its November 3 meeting. Karen initiated this discussion by distributing the previous quarterly staff report. She indicated that the discussion about the conditioning question needs to be updated for the next report.
  - Jeffrey shared that the concept of a cover letter that accompanies the action item list has evolved over time and allows the Roundtable to inform the Board with more detail on particular action items.
  - David's suggestion of using the DAHP predictive model to identify cultural resources in high probability areas was also discussed as an addition to the quarterly report. David stated this is the same predictive model he presented to the Board over 20 years ago. Forest practices are different from 20 years ago and information on the model should be revisited.
  - It was also suggested to update the report by indicating that the Roundtable has had discussions on action items #1 and #2. In addition, the Roundtable now has a facilitator and note taker.
  - Jeffrey indicated that he always has tried to make the quarterly report match the meeting minutes.
  - Karen stated that she would take this input and update the quarterly report, with the goal of getting this out to participants within the next day or two. She would need comments back by Friday, October 25.
  - Sherri indicated the Roundtable did not have a chance to discuss the inadvertent discovery language during the August meeting.

6. Potential Topics for next Roundtable Meeting (November 17, 2015)
- Rob passed out a table (“matrix”) that listed the 20 FPA conditioning and related issues as a way of stimulating ideas on homework between now and the next meeting. To get to bite-sized chunks that the Roundtable can focus on, perhaps there are ways of consolidating/combining issues on this list. For instance, which issues belong in an education bucket versus a rulemaking bucket? Another way of filtering issues is to use a decision tree model, starting with the question of “is this an issue the Roundtable can do anything about?” Using this bucketing or decision tree method, is it possible to shrink the list of 20 down to 2-3 really important ones? The goal would be to have the right decision tree, the right criteria.
  - Karen added an additional way of approaching these issues by asking “what is the problem we are trying to solve?” For instance, what is the problem we are trying to solve by changing “may” to “shall?” Jeffrey supported this approach, as it is at the core of his masters thesis. Need to recognize the problem as well as differentiating between a social versus a research problem. In addition, what is the perceived problem versus the real problem?
  - David – from his perspective, the core problem is not implementing the TFW goals for cultural and archaeological resources. He added that many items on the list of 20 are responding to different issues.
  - Rob asked if it would be possible for the Roundtable to go through these 20 issues, organize them into categories, determine the most appropriate Roundtable actions for each of these categories, and submit this to the Board?
  - The idea of a small workgroup to tackle this categorization was suggested and supported. The assignment is to review the list of 20, combine and consolidate these if possible, and determine what action(s) the Roundtable can take. The assignment of identifying the core problem of these issues will be left with the Roundtable, rather than this small workgroup. Volunteers for the workgroup were Karen, Sherri, David, and Steve. Rob volunteered to schedule and facilitate this workgroup.
  - Based on this discussion, potential topics for the November Roundtable meeting are as follows:
    - October meeting minutes review (budget 30 minutes)
    - Report out from the working group (category and status)
    - Collect current topics in cultural resources that should be addressed by the Roundtable
    - Report-out from the co-chairs from the November 10 Board meeting
    - Continue the co-chair process discussion
    - Agenda items for December meeting
  - It was also requested to add both the TFW Ground Rules and TFW Provisions with each draft agenda.

Meeting adjourned at 2:10.