

CMER
June 28, 2005
NWIFC
Lacey, WA
Minutes

Attendees

Barreca, Jeannette	Ecology
Butts, Sally	USFWS, BTSAG Co-Chair
Dieu, Julie	Rayonier, UPSAG Co-Chair
Goetz, Venice	DNR
Hunter, Mark	WDFW
Heide, Pete	WFPA
Hofmann, Lynda	WDFW, SAGE Co-Chair
Jackson, Terry	WDFW, BTSAG Co-Chair
Martin, Doug	Martin Environmental, CMER Co-Chair
McConnell, Steve	NWIFC
McDonald, Dennis	DNR, Watertyping Project Manager
McNaughton, Geoffrey	DNR, AMPA
Mendoza, Chris	ARC Consultants
Mobbs, Mark	Quinault Indian Nation
Palmquist, Bob	NWIFC, CMER Staff
Peterson, Pete	Upper Columbia United Tribes
Pleus, Allen	NWIFC
Pucci, Dawn	Suquamish Tribe
Risenhoover, Ken	Port Blakely
Rowton, Heather	WFPA, CMER Coordinator
Schuett-Hames, Dave	NWIFC, CMER Staff
Smitch, Curt	Thompson Smitch Consulting, Facilitator
Sturhan, Nancy	DNR, CMER Co-Chair
Tunnes, Dan	NOAA Fisheries

Minutes, Decisions/Tasks Review, General Updates:

CMER Consensus: Minutes from the May CMER meeting were approved as amended.

Decisions and Tasks from May were reviewed as follows:

- LWAG received approval for \$11,000 to continue implementation of the Amphibian Detection/Relative Abundance Methodology Project. Policy approved this expenditure at their June meeting.
 - LWAG received approval for \$30,000 to continue the site feasibility assessment for the Type N Feasibility Study. Policy approved this expenditure at their June meeting.
 - WETSAG received approval of the response plan for the Forested Wetland Regeneration Pilot Study.
 - WETSAG received approval to post the proceedings from the Forested Wetlands Workshop.
 - Disclaimers and authorship will be discussed during today's meeting.
 - Ten options were developed for consideration during the afternoon Science Session for the ISAG Extensive Fish Passage Study.
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SRC Update: McNaughton said not much has changed since last month. SAGE's literature review is still being reviewed. The agreement with the University of Washington was renewed for next year.

Budget Update: McNaughton noted that the Policy Budget subcommittee has been rescheduled for July 7th.

Disclaimer Discussion: Martin said this has been brought up in the past. McDonald said there was discussion about including a disclaimer in an ISAG report for fish passage earlier this year. DNR was uncomfortable with changing a contractor's report by adding a disclaimer. At that time, it was decided that this should be a more general topic of discussion for CMER. Sturhan said all CMER documents should have a standard disclaimer that says the document may not reflect the opinions of DNR and CMER. CMER also needs to provide information to Policy about any CMER concerns with the documents. Having different disclaimers for each document does not seem like a good idea. Pleus said he is unclear how the disclaimer reflects on the consensus-based process. Typically disclaimers are to avoid certain liabilities. However, if the document states it may not reflect the opinions of CMER, that indicates there is a lack of consensus. Sturhan said she is concerned with that. Pucci suggested that disclaimers should only be used when there is consensus to use the disclaimer; they should be used when CMER disagrees with a contractor. Mendoza agreed with Pucci; there are different circumstances that will result in different disclaimers being necessary. Jackson said when something becomes a CMER document there should be consensus that the document is scientifically valid.

Smitch said that if CMER is explaining this to Policy, Policy will want to know what the problem is. If there is not consensus on the document, then a disclaimer could state that. If a contractor delivers a product that CMER wants to place a disclaimer on, that is a different problem. Schuett-Hames said CMER has discussed these problems in the past and the most serious problem is when a product is not acceptable scientifically to CMER.

In those situations, CMER has discussed not making those documents CMER publications. Instead, they go into a file with a letter explaining why CMER does not accept it. There are other projects that are okay scientifically, but there is disagreement in CMER about the conclusions or some of the aspects of the study. If it is not possible to resolve those disputes, then a disclaimer would state that. The suggestion Sturhan made about a transmittal letter would be a good way to handle disclaimers. Heide said this discussion is helpful because these questions are important. CMER's responsibility is to produce good scientific documents and synthesize information into good reports.

Pleus said he is hearing two different things: how to close out a contract that is not completed satisfactorily when the SAG is not in consensus with the contractor's report and the second issue is about process issues and how the study fits into the larger picture of what CMER is doing. Disclaimers can be a contracting tool and authorship has also been brought up as an issue. Mendoza said that when the report is reviewed by a SAG, if the SAG cannot change the report without the contractor's permission, the SAG may not reach consensus. McDonald said that, building on authorship, and looking at the framework that we have developed for CMER, it appears that this disclaimer is a contracting issue to a large extent. If the study is a pilot report, ISAG and CMER need to agree or disagree with the contractor's interpretation of the results. When CMER has a report and publishes it, if there is disagreement and it is stated in a letter, CMER must ensure that the letter stays with the report. Pleus suggested that the reports be drafted as SAG reports, not contractor reports. The contractor can draft the report, but the SAG would maintain the ability to edit and change the document.

Martin said that CMER cannot put opinions in documents. CMER needs to review the document from a technical perspective and according to a set of standards. CMER verifies that the document meets or does not meet the standards during the review process. For example, introductions must set the context for why the document is being written and the discussion needs to explain any caveats that exist. Martin does not support a transmittal letter being part of the file. Pucci suggested that SAGs should be able to bring a letter and request CMER approval of the letter accompanying the report if there is disagreement with the contractor. In the future, CMER can draft their own reports and rely on contractors simply to gather data. Jackson said she believes the problem is that we are in a difficult position trying to reach consensus and agree that the scientific information answers the questions we are asking appropriately. Heide said he agrees with Martin; the science is the science and if the work done by a contractor is properly carried out then the report is complete. If the science does not answer the question or goes beyond the scope of the contract, that is a different issue.

Risenhoover said we are missing something here; science is a test of knowledge and its ability to persist through time. If the information is imperfect, that is okay because science will continue to develop over time. Documents should report information and then CMER should interpret it. Smitch said that consensus is not supportive of science. The scientific community cannot sustain consensus over time; but we have a consensus body here because CMER has another function, to review the science and pass it forward to Policy. The role of CMER is what is being discussed here; CMER has an obligation to

review documents developed by contractors and let others know what CMER thinks about them. CMER is struggling with how to project this role.

Assignment: Sturhan said she and Martin will develop a proposal based on today's discussion. The document will be discussed next month.

Unfinished Projects and Documents residing in SAGs: Sturhan said that the disclaimer proposal will help get some of these documents completed and work continues on completing these documents. McDonald said that these historical documents should be considered in the context of historical process requirements.

Document Classification Proposal: Martin said that he handed out a proposal about document classification for CMER consideration with the intent of helping to define some of the standards needed for different documents and the reasons for different documents. This was handed out and e-mailed out. There was a request for review and comment and only one set of comments was received. The idea was not to adopt this exact proposal but to see if CMER likes the idea. If CMER does like the idea, someone should be assigned to flesh the categories out. McNaughton said that the USFS also has different classifications of reports; consulting their system would be helpful. Mendoza said the proposal has linked categories. Explaining these links would be helpful. Dieu said that UPSAG does like the idea.

Assignment: Sturhan and Martin will flesh out this proposal and bring it back to CMER.

SAG Requests

- ISAG requested approval of the Status and Trend Monitoring for Fish Passage in Washington Forestlands: Methodology Review and Preferred Study Design. McDonald said ISAG is specifically asking for CMER's approval that this study design is completed by the contractor. This approval will allow the contract with WDFW to be completed. The options recommended by WDFW are attached in the appendix of the study design. Schuett-Hames said the option document does not incorporate all the options discussed at CMER's afternoon session last month; incorporation of those options seems appropriate. McDonald said those options were discussed, but the ISAG document is complete based on what WDFW agreed to do. The additional options discussed at CMER are being discussed at ISAG. Schuett-Hames suggested the document be revised to reflect that discussion will include WDFW's options and the additional options suggested by CMER. McDonald said that ISAG does not want to change this report. Pucci said that this is not a complete scoping document because other options can be added over time, but CMER can approve this as a final contract document. Heide said this is a good piece of technical work that can be pulled out and used by CMER at a future point in time. Pucci said that this document clearly states small landowners will not be used when there is a

potential they will. Mendoza said that since the study design is done and options have been laid out, this will now go to Policy to choose an option. It seems some of the options developed in the afternoon of the last session are not consistent with the study design. Sturhan asked what the next steps will be. McDonald said ISAG will write up next steps and recommendations based on this study design and the additional CMER options. Pleus asked if this document needs a cover letter. The ISAG request provides the context for why there is an appendix. Barreca suggested this document include a statement that the document did not go through SRC review. Pucci said this document should be labeled as pre-scoping; not a final study design that will be used by CMER. Mendoza said CMER needs to step back and remember what the purpose of this document was supposed to be: a study design for large landowners. That was the turning point for this document and CMER needs to decide what to do with the document and what additional information may be necessary to make it clear what the document is. Pleus suggested a cover letter be drafted and approved by CMER.

CMER Consensus: CMER approved the document. The cost options for the proposed study will be attached as an appendix. A cover letter will be drafted and brought to CMER for approval and attached to the document.

- ISAG requested approval of the Last Fish Surveys for Eastern Washington Water Typing Model Development. McDonald said ISAG has agreed this report is complete and is seeking CMER review of the document. No peer review is necessary as this is data collection for model development.

CMER Consensus: CMER agreed to review the document. Reviewers will be Hofmann and Sturhan. The document will be considered for approval at a later CMER meeting.

- UPSAG requested approval of the Regional (Unstable) Landform Identification Project results. Dieu said there was a guidance document approved by CMER two years ago. All seven regions have gone through this process according to the guidance document. There is a final assessment attached to the SAG request. Martin asked if there is a report that reflects all of this. Dieu said that CMER approved the guidance document and the products the project would produce. The SAG request is a short report. Dieu said UPSAG agreed to map, identify and define, and make notebooks reflecting unstable landforms by region. Dieu said since this was a regional process, the notebooks need to be by region. Martin said his concern is with getting these projects documented all in one place. Schuett-Hames said he is confused with the level of review and approval CMER is supposed to give this document. Dieu said CMER should be approving the completed products. Dieu said this is a rule tool and provides field guidance. Martin said he is not sure what CMER is approving. Heide said this is a technical process and to say this is a check-off is not totally accurate. He is reluctant to see CMER approve something they have not reviewed. Heide does have some concerns that he would like to express about the products during a review process. Sturhan said CMER approved the approach but not the final products yet. Dieu said UPSAG is recommending that CMER go to Policy with the results and recommend

that the results be inserted into the LHZ layer. Dieu said CMER does need to approve these documents, however, UPSAG never agreed to a big final report. Dieu said UPSAG is willing to turn over the products for CMER review, but is not willing to draft a big report in addition to the work that was already done. Schuett-Hames suggested that Dieu and Goetz describe and explain the products during an afternoon session and approve it at the end. Dieu said she liked the audit process; CMER can determine whether UPSAG followed the guidance document. McDonald said that an afternoon science session would be a good opportunity to audit this work and then approve it.

CMER Consensus: CMER agreed to review these documents and the process used to develop them for consistency with the guidance documents. Reviewers will be Hunter, Mobbs will ask Lingley, Butts will ask Bakke to review the document and WFPA will designate a reviewer. Products will be delivered to reviewers by July 18th, and reviewers will complete their review in time for the August CMER meeting. Those who are checking on reviewers will notify Goetz and Dieu when the reviewers agree.

- Dispute Resolution: McNaughton said that CMER did not reach consensus on approval of the Water Typing Model Field Performance Assessment Pilot Study April CMER meeting but the small group that was formed for dispute resolution did reach consensus and the report has been approved as submitted last month by that dispute resolution group.

CMER Monthly Report to Policy: Martin said that CMER provided a short report to Policy last month. The two LWAG funding requests were approved and Policy was informed that the fish passage status and trends study will be delayed so that CMER can pursue options. There is a budget meeting scheduled for July 7th and the report for Policy will be discussed this afternoon. Policy has been moved to July 19th. General updates will be provided to Policy on July 19th. McDonald said that if things go well, ISAG will be presenting some projects to CMER in August and that Policy should be told these projects are in the pipeline. The projects are the Model Performance Assessment and Western Washington Seasonal Variability studies, which are linked. Fish Passage Extensive Monitoring will also come forward for approval.

SAG Issues:

- UPSAG: Dieu said that UPSAG is presenting a simple conceptual approach for the assessing the accuracy and bias in unstable landform identification. UPSAG is currently looking at how they will do the project and they would like CMER's opinion regarding whether this approach is valid, whether the questions and answers in the flow chart get CMER the answers they need and will the bias be addressed by this approach. Dieu said that UPSAG would like comments on this today. Heide said that the first step is the screening which is not on the flow chart. Dieu said those are the details under the box asking if unstable slopes are present. Sturhan said this is a flow

chart for the study, not for how FPAs are filed. Martin asked if CMER can have some time to review this. Dieu said yes and CMER should focus on the opinion questions noted above. The deadline for review is July 11th.

- **ISAG:** Barreca said she would like to discuss adding a piece to the UPSAG Roads study. She has a draft scoping document but wants to discuss it with ISAG and UPSAG before it is brought to CMER for approval. The suggestion is to take advantage of UPSAG's road study to get at extensive fish passage. This will be discussed at UPSAG and ISAG and brought before CMER in July. Barreca said that when she ran this by Price, his main concern was that samples of individual culverts may be biased (not random) due to autocorrelation within land areas that have one owner.

Scoping Intensive Studies: Sturhan said there is a placeholder for Intensive Watershed Monitoring to look at cumulative effects. CMER has struggled to scope these studies and Sturhan and Martin are going to attempt to get CMER working on scoping these studies over the next year. Sturhan suggested a schedule to scope these products and make sure there is time at CMER meetings to discuss this intensive monitoring effort over time.

July Science Topic: The July science topic will be a beginning for scoping studies for the IWM. It would be pre-scoping, figuring out which SAGs at this time are really going to do projects in the IWM's, and to kick around approaches to see if there is overlap that we can exploit or where we need to keep out of one another's way, etc.