

Timber, Fish, & Wildlife Policy Committee  
 April 10, 2015 Meeting Summary

Actions & Decisions from Meeting

Decision	Notes
1. The 2015/2016 biennial budget was approved with contingencies (see page 6-7 for full decision statement).	Consensus by all caucuses

Action	Assignment
1. Draft and circulate to Policy a list of priority contacts to reach out to regarding the AMP funding request.	Chris Hanlon-Meyer, Stephen Bernath, Karen Terwilleger
2. Clarify if the budget amount for “FFSA-AMP Carry Forward” includes unspent funds moving forward and if this money is available to be spent. Send this information to Policy when available.	Hans Berge
3. Determine if/how the inclusion of DHAP funding affects the bottom line/other line items in the budget.	Hans Berge
4. Clarify what the “FFSA Reduced to Available Funds” line item is.	Hans Berge & Chris Hanlon-Meyer
5. Clarify where the estimated “Fund Balance” is for 2016/2017.	Hans Berge & Chris Hanlon-Meyer
6. Draft a job description for the additional AMP staff member and share for discussion at May Policy meeting, in order to approve the budget line item “Continuing LEAN Improvements – Staffing” before the May Board Meeting.	Hans Berge
7. Circulate the low impact HCP.	Marty Acker
8. Work offline on the UCUT’s Herbicide Scoping Document and chemical disclosure petition.	Marc Gauthier, and others if desired
9. Send Marc a document that outlines when non-CMER science can be supported by the AMP.	Adrian Miller
10. Send the video of off-channel habitat to Policy.	Marc Gauthier
11. Complete the “homework” related to off-channel habitat on by the next Policy meeting (see page 9).	All
12. Draft a proposal on the strategy and focus of the electrofishing literature review.	Hans Berge

**Welcome & Old Business** – 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*).

*Updates*

- Legislative and AMP Funding Update
  - The AMP funding request for \$5.9 million is in the Governor’s proposed budget, the proposed House budget, and the proposed Senate budget. The only tweaking that needs to occur during the conference committee discussion is language around the two provisos in the House and Senate budgets.

- The proposed Senate budget has \$3.5 million allocated for the Forestry Riparian Easement Program (FREP) and \$5 million for the Family Forest Fish Passage Program (FFFPP), which is about half the allocation in the proposed House and Governor's budgets. The Senate budget does not include RHOSP or Community Forest Trust monies.
  - DNR had included a decisions package for funds related to Forest Practice compliance, which included a new specialist in each Region, funding for a FPHP engineer in the Western Region, and funding to start replacing the FPAR system. The proposed Senate budget did not respond to this request at all, but some monies were proposed in the Governor's and House budget. DNR's carry forward budget for Forest Practices was not affected.
  - One caucus noted that even though the AMP funding is included in all three budgets, caucuses are encouraged to continue talking with legislators about the importance of funding this program.
    - A list of priority contacts to reach out to regarding the AMP's funding request will be circulated to Policy.
  - One caucus clarified that the fund exchange for Forest Practices was backfilled by the Aquatic Lands Enhancement Account (ALEA) in the House and MTCA in the Senate.
  - The bills identified at last month's Policy meeting have lost support and are no longer active.
- Board Manual Section 16 Update
  - The DNR-convened stakeholder group has been meeting regularly to review and revise the Board Manual, and a revised version of the Board Manual is shared with caucus leads after each meeting. The next meeting is April 15.
  - The group is continuing to review and compare different methodologies of calculating and estimating run-out for inclusion into the Board Manual. Two models stand out for shallow rapid landslides – the Tolt Method and an Oregon Method. Both of these methods use the same parameters; however, one is more conservative. The group is working to determine if a hybrid of the two models would be appropriate for Washington or if other models should be considered.
  - The group's outline has been populated with tasks, including drafting language for how to introduce these methodologies once one is decided upon.
  - There are not many models or information available related to deep-seated landslides.
- DNR/WDFW/Ecology Letter pertaining to Protocol Surveys on Drought-Designated Streams
  - On March 30, 2015, DNR, Ecology, and WDFW issued an advisory letter related to protocol surveys and permanent water type changes in drought-designated streams. The letter outlines that when landowners plan to conduct protocol surveys on streams with flows meeting the drought criteria, the results may get rejected if adequate justification is not available to show that the flows would not impact the upper distribution of fish. The main goal of this document is to provide advice and proactively start the conversation with those planning to conduct a protocol survey in drought-designated streams, instead of at the end of the season when non-concurrence is likely to occur. Furthermore, unless there is certainty that flows will not impact the Type F/N break, permanent water type changes will not be accepted on drought-designated streams. The memo recommends

pre-consultation with the three agencies and affected tribes to avoid non-concurrence in drought-designated streams.

- The Governor's drought declaration is a two-step process. First, the conditions have to be below 75% of normal under 50% exceedance. These forecasts are summarized and updated daily on the NOAA River Forecasting Center website. Second, the area has to show hardship. The difference between the Governor's drought declaration and the protocol survey's letter is that the second step is not required.
- Some caucuses were concerned that on-site observations of stream conditions would be unreliable for determining if the flows are affecting the uppermost point of distribution.
- One caucus suggested a need for more discussion on this topic related to stream versus basin and prediction versus current condition.
- The state agencies are willing to meet with the tribes, at their request, to review protocols related to this letter. Specifically, the tribes are interested in directions to tribal staff related to determination of the uppermost point of perennial flow (UMPPF) and what that would look like if a stream is dried up at the UMPPF.
- Co-Chair Succession
  - Stephan Bernath will continue to hold his Co-Chair position until June 30<sup>th</sup>. Finding a new Co-Chair rests with the current Co-Chairs. They are looking for someone who has time and support from their employer, and that the rest of the Policy Committee caucuses are agreeable to.
- Update from WDFW
  - The 1997 Priority Habitats and Species (PHS) Riparian Guidelines are being updated. The focus of the update will be on riparian areas and functions from a fish and wildlife lens. The update will be a science document, not a policy document. The first phase of the document will focus on aquatic habitat and the second phase will focus on terrestrial habitat. The update will build off of the 1997 guidelines and include a scientific literature review, focusing on the last 15 to 20 years. Each chapter will concentrate on a different function, e.g. how do riparian areas affect water quality from a fish and wildlife lens. WDFW will set up a Technical Advisory Committee that will review the document and individual chapters in mid-June. Once the Committee has reviewed the document, it will go to the Washington Academy of Science for a blind peer review in late summer 2015 and then out for public review in fall. The terrestrial phase will begin after January 2016.

**Biennial Budget** – Hans Berge, the Adaptive Management Program Administrator (AMPA), provided an update to Policy on the biennial budget and highlighted the significant changes in the budget since the last Policy meeting.

- Continuing LEAN Improvement – Staffing: this line item provides funding for an additional AMP staff member. The main purpose of this position would be to improve communication between the TWIG and CMER, implement LEAN techniques and strategies, update the website, assist with GIS work, and support the AMPA program in general. The impetus behind the proposed position is to help ensure that there is enough capacity to complete projects.
- LiDAR Model: the LiDAR model still requires technical discussions before the scope of work can be finalized. The funding for this budget item will likely occur in 2016.

- Riparian Function Literature Synthesis: this literature synthesis will make use of the information gathered by WDFW as they update the PHS Riparian Guidelines, concentrate on best available science since the HCP, and focus on the specific issues the small landowners brought forward in their template.
- CMER Conference: the largest expense for the CMER conference continues to be video. In the past, the cost for the CMER conference was included in the contingency line item in the budget.
- Program Administration: this line item includes funding for the AMPA position, ISPR, and Patti Shramek's position.
- Report to Legislature: legislative reporting will likely be required through provisos and will be DNR's responsibility. This funding amount is an estimate and could cover a technical writer, report preparation, compensation for DNR's communications department, or other tasks if needed. By having separate funding dedicated to this task, it will help with capacity issues by making sure this responsibility is factored into existing workloads and allows for compensation for other departments to assist in this effort.
- Type F and N Extensive Westside – Temperature (Baseline Status): there is no funding needed in the next fiscal year, as the contract is already in place and money has been allocated. The study will be finished sometime after the fiscal year and has already been funded.
- Eastside Type N Forest Hydrology: this study has gone through ISPR and CMER is waiting for comments from one reviewer before finalizing the report.
- Projects in Field Implementation: the budgets for these projects have not changed significantly. There were some changes in the out years, adjusting for data that will not need to be collected again.
- Eastside Type N Riparian Effectiveness – Perennial & Dry: these two studies will be completed together, but have been separated in the budget for transparency. The studies have been pushed into the future because of the current status of the projects.
- Glacial Deep-Seated – Literature Review: this project was delayed because of contracting hurdles and will now be completed in Fiscal Year 2016 after the project goes through a bid process.
- Forested Wetlands Effectiveness Study: work in Fiscal Year 2016 will focus on completing the problem statement, confirming the critical questions, and finalizing the study design. Policy should see this product by the end of the Fiscal Year 2016.
- Wetland/Stream Water Temp Interactions (Sub question) & Wetland Hydrologic Connectivity (Add-On): the hydrologic connectivity add-on covers work WETSAG is interested in doing related to connectivity. Work in Fiscal Year 2016 will concentrate on drafting questions for a study related to this topic. Some of this funding will be provided to cover some of Dr. Moskal's time.
- Road Prescription-Scale Effectiveness Monitoring: funding in 2016 will allow the TWIG to create a best available science product.
- Van Dykes Salamander Project: this project has been pushed to Fiscal Years 2016/17 and will include sampling and a literature review.
- Extensive Alternative (Remote Sensing Approach): this project was proposed by Policy to RSAG for approximately \$400,000. In reality, the first years will have higher costs. The project will be fully scoped in Fiscal Year 2015, and then there will be a pilot piece in 2016. There are a lot of unknowns associated with this project. At this time, the AMPA expects that Dr. Moskal and her

team will work together on the literature review. The next phase of her work effort is yet to be determined as her contract is not in place yet.

Available Fund Line Items – note, the line item budget numbers in this section are based on current assumptions and TFW Policy Committee does not have direct authority on these items.

- GF-S – AMP Carry Forward: this is a moving target and has been updated based on new information.
- FFSA – AMP Carry Forward: this amount combined with the General Fund-State AMP Carry Forward provides an estimate of the funds available to AMP program.
- Provisoed Agreements: the tribal participation grants funding amount has not changed. The NGO agreements are the same, with the addition of an added commitment from the Washington State Association of Counties (WSAC). The State agencies line also reflects an added commitment.

Bottom Line: based on current assumptions and dependent on approval of legislative funding, the AMP program is expected to have a balance of +\$101,000 at the end of 2016. The amounts under “Available Funds” on the “Master Project Schedule for Policy\_REVISED April 8 2015” are outside the TFW Policy Committee process and are based on current information, subject to revision once new information is presented. If legislative funding is not approved, the AMP program will fall short based on the level of expenditures predicted. Also of note, the funding for the program will likely come from the General Fund, meaning if the money is not spent in the planned fiscal year, it will be unavailable to carry into the future year(s).

#### *Discussion*

- The group discussed the potential issues with adding an additional AMP staff member. The AMPA agreed to write up a formalized job description/justification for the position for Policy to review prior to the Board Meeting. It was suggested that the AMPA work with CMER to write up the job description.
- The group discussed the “Report back to Legislature” line item and one caucus expressed concern whether this line item should be included. Another caucus responded that because the Legislature is requiring a report back, this line item shows that the report out will be completed fully.
- Policy was not in consensus on the Riparian Function Literature Synthesis. One caucus commented that the budget should not be approved until this project goes through Policy’s process to confirm the project.
- There was some discussion about the overlap in costs associated with the Eastside Type N Riparian Effectiveness – Perennial & Dry studies, and that the ability to save money by the two projects was related to the similarities in project start up in 2016/17. Others commented that the assumption that cost savings will not occur in later years is premature. The group confirmed that it was comfortable with how the two projects are represented in the budget.
  - One caucus commented that selection of dry sites that meet the study criteria will be difficult and that any assistance in this effort, specifically working and reaching out to small landowners, would be appreciated.
- It was noted that the Program Administration and Support Staff line items do not include potential raises. At this time, the proposed House and Senate budgets have different line item amounts associated with raises for State employees. It was recommended that the budget be

presented to the Board as is and that when new information comes in after the May decision, the budget be updated.

- More clarity was requested on the “FFSA-AMP Carry Forward” estimate before the May Board Meeting. One caucus was interested in where the funds were coming from (fund balance, appropriation, reserve, or other) and if that money is actually available to be spent.
- The group asked for clarification on what the “FFSA Reduced to Available Funds” means and why the “Fund Balance” line is blank for 2016/2017.
- The group discussed the added commitments within the participation grants from the NGO agreements and commented that Policy was not responsible for allocating specific amounts for these grants. The added commitments are likely due to the fact that the state agencies and NGOs are trying to increase their commitment levels back to 2009 levels, before the recession, plus the additional commitment from WSAC.
  - One caucus recommended that commitments associated with counties should be pulled out as a separate line item as counties are not NGOs.
  - It was clarified that the \$71,500 added commitment under the state agencies budget line is for DHAP, not necessarily additional funding to return to pre-recession funding. This line item cannot be addressed at the TFW Policy table.
  - One caucus commented that the FFSA was initially set up to help fund tribal participation.
- The Wetlands TWIG is meeting on May 18<sup>th</sup> and 19<sup>th</sup> for a field tour of specific wetlands. The purpose of the tour is to help ensure that group members have a common understanding about different types of wetlands (mostly forested wetlands). The tour will concentrate on how to apply the rules in the field across a range of wetlands.
- It was noted that if the \$5.9 million of funding was approved by the legislature this biennium, it would become a part of DNR’s base budget in the future.

**Decision:** Policy unanimously approved the 2015/17 biennial budget with consensus contingent on the “Continued LEAN Improvement Staffing” line item. Contingency is upon agreement of the need based on the job description presented by the AMPA to Policy. The recommended budget would be included in the Board packet with the caveat that Policy is seeking consensus on this line item. In addition to the “Continued LEAN Improvement Staffing” line item, there were two other budget items that were not a part of the CMER approved budget: “Report to Legislature” and “Riparian Function Literature Synthesis”. TFW Policy’s recommendations relate to CMER projects and associated administrative/support staff expenditures. This document also reflects anticipated appropriations and potential expenditures for CMER non-project or administrative/support staff expenditures which are outside the jurisdiction of TFW Policy.

**Unstable Slopes Criteria TWIG** – Greg Stewart presented on the TWIG’s Unstable Slopes Criteria Project and reviewed the TWIG’s problem statement and critical questions. Greg asked Policy if the group was open to a map-based approach for criteria to locate unstable slopes or if the TWIG should concentrate on updating the existing criteria within the same format.

**Discussion**

- After the meeting materials were sent, the problem statement was updated based on one caucus’ comment that the existing problem statement focused too heavily on the RIL criteria and did not

highlight the main question of how to tweak the existing criteria or if there are other approaches that would work better.

- The group discussed if there is enough adequate data to map out potentially unstable slopes. Currently, there is a lack of data and this information would need to be collected over time.
- One caucus stated that if the TWIG has identified this as an area where the current tools are not adequate, then the TWIG should explore other approaches. At a later date, the TWIG would then present to Policy the options and the pros and cons of each.
- It was clarified that if an adequate screening tool was developed, and if it was deemed appropriate by Policy, this tool could replace the language in the WAC. The benefit of this would be that the screening tool would eliminate the need to interpret if landforms met certain criteria. The TWIG is interested in hearing if Policy would like them to explore this option.
- The group discussed the role of the Category E criteria and if it would be beneficial to describe Category E on a regional basis. The previously completed Regional Landform Identification Project did this to some extent, but it may be worth exploring further.
  - One caucus stated that it may be beneficial for the TWIG to reach out to foresters and landowners to hear where they have seen slides on their lands and what unique characteristics are present in these areas.
- One caucus stated that there is a question around if the existing criteria are adequate, both in terms of identifying unstable slope features and if forest practices on the ground will result in meeting performance and resource objectives of not altering the natural background rate of landslides.
  - Another caucus stated that the rules to identify landforms are adequate at this time and this project should focus on reviewing if there should be additional clarification and elements to improve those rules as opposed to changing the whole system.

**Interim Decision:** The group decided to hold off on approving the critical question and problem statement presented by TWIG because the language was amended without prior review by the full TWIG and all the caucuses. Each caucus lead will present the amended language to their caucuses to determine if the changes to the language are appropriate. Policy will revisit this issue at the next Policy meeting.

**Small Forest Landowners Proposal Initiation** – At the February 2015 Board meeting, the AMPA was directed to look at the proposal put forward by the small forest landowners. Since then, the AMPA has been studying the rules and understanding the basis for the proposal in order to craft a recommendation for Policy. After his review, the AMPA suggested that the proposed template is reviewed by both the science (CMER) and policy (Policy Committee) tracks. On the science track, he recommends that CMER conduct a literature review focused on the five functions of riparian management. On the policy track, he recommends that Policy review the proposal to determine if it meets the criteria for a template.

#### *Discussion*

- The group discussed at length whether there was a need for CMER to conduct a riparian management literature review since WDFW is planning a similar effort. Hans clarified that the riparian literature review has value on its own, separate from helping to make the decision on the small forest landowners' proposal. He also stated that the CMER literature review would take

into account the information gathered by WDFW. There may also be partnership opportunities on these efforts.

- The timeline and prioritization of this effort was also discussed. The AMPA expects the literature review to take 6 months beginning after Board approval, but plans to work with RSAG to determine the best way to complete the project. Some caucuses raised questions about whether CMER could complete the effort in that time period given current workloads.
- One caucus expressed concern that the project may be given top priority because it will be presented to the Board. It was clarified that there was nothing in the recommendation or direction from the Board leading to reprioritization of projects.
- One caucus commented that in addition to determining if the proposal meets the definition of a template, it would be beneficial for Policy to have a discussion on low impact criteria.
- It was clarified that all reviews, including tribal-landowner FPA review, are still required under an alternate plan. An alternate plan template does not exempt ID Teams.
- One caucus requested clarification on the decision-maker(s) who will create the recommendations based on the completed literature review. This caucus recommended that instead of using the synthesis to set specific criteria, the information can be used to develop a model where information provided in a proposal can be plugged in to see if it results in low impacts.

#### *Next Steps*

- The group updated the language related to the recommendations for next steps, but did not come to consensus. The updates included:
  - Determining if the proposal meets the criteria for a template before the literature synthesis begins.
  - The literature synthesis would not begin right away, but would take place in a six month timeframe.
- Because consensus on these changes was not achieved, Policy agreed to work offline to confirm the recommendations to send to the Board, with the option of reporting to the Board at the May meeting that Policy is working on coming to consensus on their recommended path forward.

**Herbicide Study Scoping Document** – Marc Gauthier gave an overview of UCUT’s Herbicide Study Scoping Document. At this time, UCUT can sponsor the entire study as outlined, which does not include the water studies. If the AMP agrees to assist with this study, the study can remain whole. Marc commented that UCUT’s next steps are to bring this proposal to the Board, as well as bring a petition to the Board requiring landowners to provide information about which chemicals are actually applied instead of a list of which chemicals may be applied at a site. UCUT plans to start this project during the next field season, however, they may be willing to wait one year if the AMP is interested in assisting.

#### *Discussion*

- Some caucuses suggested that it may be more effective to seek support from the Washington Department of Agriculture, as they have more direct oversight on the issues examined through this study.
- Several caucuses expressed some hesitancy to open the CMER prioritization list in order to add this project.



- There is an evaluation screen that outlines the criteria for projects that can be supported by the AMP under the category of “non-CMER science.” This project should be compared against those criteria.
- One caucus suggested that this project be reviewed by SAGE or RSAG before going to CMER.

*Next Steps*

- Multiple caucuses requested to see the petition and volunteered to work offline with Marc Gauthier to determine the most effective path forward. Marc agreed and will wait to present it to the Board until the August meeting.
- The proposal will be revisited at the next Policy meeting.

**Off-Channel Habitat** – Adrian Miller, Co-Chair, recommended the following next steps as “homework” for Policy:

- Determine if your caucus can agree to the statement: “off-channel habitat applies to Type F waters.”
- Determine how your caucus would like to see connectivity determined and off-channel habitat defined. DNR utilized a number of concepts in the graph presented on the field trip, such as bankfull depth/evaluation.
- Determine how your caucus would like to determine how to find the edge of off-channel habitat. For example, visual determinations, topography, soil characterizations, and vegetative indicators. Which others should be considered?
- How is this different or not different from the existing rule structure? Are there technical pieces that Policy may require more information on? Does your caucus need a more formal science process? What questions does your caucus need answered? What other contingencies do you have?

*Next Steps*

- Caucuses were in agreement that this topic could be prioritized over electrofishing and should be the main conversation at next month’s meeting, focusing on what the group conceptually agrees on and what needs to be answered in order to get full consensus. One caucus cautioned about finalizing rule change language too quickly.

**Type F: Electrofishing** – Hans Berge will bring a proposal on the strategy and focus for the electrofishing literature review to the May Policy meeting.

**Type F: Model** – The model development will primarily occur in Fiscal Year 2016. The scope of the work will be developed and drafted by the end of fiscal year 2015, with the goal of having a contract in place by then. The first step in this process is to identify the data available, including fish, GIS, FPA, and other water type mod form data across the state.

The Co-Chairs adjourned meeting at 4:00pm.

Attachment 1 – Participants by Caucus at 4/10/15 Meeting

**Conservation Caucus**

Chris Mendoza (phone)  
\*Mary Scurlock

**County Caucus**

\*Kendra Smith, Skagit County

**Federal Caucus**

\*Marty Acker, USFWS

**Industrial Timber Landowners (Large)**

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

**Non-Industrial Timber Landowners (Small)**

\*Dick Miller, WFFA

**Others**

Hans Berge, AMPA  
Julie Henning, WDFW  
Greg Stewart, NWIFC  
Shanese Crosby, Triangle Associates

**State Caucus – DNR**

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

**State Caucus – Ecology and Fish & Wildlife**

\*Stephen Bernath, Ecology, Co-Chair  
\*Terry Jackson, WDFW

**Tribal Caucus – Eastside**

Marc Gauthier, UCUT  
Todd Baldwin, Kalispel Tribe  
B.J. Kieffer, Spokane Tribe

**Tribal Caucus – Westside**

\*Jim Peters, NWIFC (phone)  
Nancy Sturhan, NWIFC (phone)

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
<b>Type N</b>	Type N policy subgroup	On hold until other workload lessens.
<b>Type F</b>	Policy	Policy is complete with the off-channel habitat field trips and now is in discussions on both electrofishing and off-channel habitat, to respond to the February 2014 Board motions.
<b>Unstable Slopes</b>	Policy	Board accepted Policy's recommendations; now DNR and UPSAG are working on implementing those recommendations. UPSAG is in the middle of hiring a contractor to do a literature review.
<b>Adaptive Mgmt Program Reform Rule Changes</b>		Accepted by Board at August 2013 meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
<b>Ongoing CMER reports reviewed by Policy</b>	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
<b>TFW Policy Committee</b>	May 7	
<b>CMER</b>	April 28	
<b>Type N Policy Subgroup</b>	TBD	On hold due to workload constraints.
<b>Type F</b>		Discussed at regular Policy meetings.
<b>Forest Practices Board</b>	May 12	