

Forest Practices Board
Water Typing Rule Committee
July 14, 2020
Meeting conducted via GoToWebinar

Committee Members Present:

Bob Guenther, Committee Chair and General Public Member
David Herrera, General Public Member
Paula Swedeen, General Public Member
Tom Nelson, General Public Member

Absent:

Jeff Davis, Director's designee, Washington Department of Fish and Wildlife

Staff

Marc Engel and Marc Ratcliff, DNR
Phil Ferester, ATG

Welcome and Introductions

Bob Guenther, Committee chair, called the meeting to order at 9:30 a.m.

Approval of Minutes

MOTION: Tom Nelson move to approve the April 17, 2020 meeting notes.

SECONDED: Paula Swedeen

ACTION: Motion passed unanimously.

MOTION: Tom Nelson move to approve the May 5, 2020 meeting notes.

SECONDED: Dave Herrera

ACTION: Motion passed unanimously.

Status on Anadromous Fish Floor GIS Analysis Contract and project team work

Marc Ratcliff, DNR, provided a status on the Anadromous Fish Floor (AFF) contract. The request for quotes and qualifications (RFQQ) was posted on June 23. He said DNR received several technical questions from potential contractors, which the project team responded with clarifications. All contract proposals are due to DNR by July 17. Once that closes, a panel will review and evaluate the bids and select the highest scored bid.

He said although DNR is the contract administrator, the project team is responsible for providing the contractor the necessary fish distribution points and specific stream attributes for the analysis in addition to approving many of the required deliverables.

He said DNR did not anticipate having to take furlough days when establishing the pre-bid schedule. Given the required furloughs, DNR may have to adjust the interview dates, which in turn may delay the start date by no more than two weeks.

Ash Roorbach, Northwest Indian Fisheries Commission, provided an update on the work the AFF project team is doing. He said the team held meetings to assist DNR with the RFQQ process and answer questions from the potential vendors.

Status of Eastern Washington Fish Data Technical Group

Marc Ratcliff, DNR, provided an update regarding the work by the technical group. He said the request to identify additional fish stream data using 2001 Cooperative Monitoring, Evaluation, and Research Committee (CMER) data in eastern Washington that could supplement the existing data set for the potential habitat break (PHB) spatial analysis is complete. This involved using a quality assurance/quality control (Qa/Qc) process to screen data to arrive at logical end of fish points within a stream segment.

He said Chris Mendoza did the majority of the Qa/Qc evaluation while providing regular progress reports and asking for feedback from the eastern Washington technical group along the way. The initial assessment screened out points containing impassable culverts, streams with loss of surface flow for 100 meters, streams containing woody debris barriers, surveys performed later than July 15 and streams having no channel.

A second more detailed evaluation occurred to assess if other stream characteristics (permanent fish barriers or gradient >20%) may have contributed to the end of fish points besides simply a late season survey or lack of water. In total, the Qa/Qc assessment found approximately 150 points that may have merit. Additionally, eastern Washington tribal biologists provided about 40 fish points for consideration. Where subsequent fish seasonally studies were performed on the 2001 CMER data, the highest upstream fish point will be used in the spatial analysis.

Ratcliff reminded the Committee that not all members believe the 2001 CMER data should be screened and that using a complete set would provide a comprehensive sample to compare PHBs across a watershed level. At the last technical team meeting, Brian Fransen proposed using a lidar assessment for comparing the fish points from the 2001 CMER study with the Board's approved PHBs. Ratcliff said this is not necessary an opposing method, but rather an alternative to performing the spatial analysis.

Brian Fransen, Washington Forest Protection Association, provided a brief explanation of his alternative approach. He acknowledged that there is disagreement with including all the CMER fish points, but indicated that the CMER data has the ability to accurately inform fish distribution across the landscape. For example, he said it does not make sense to simply disregard points taken later in the year when the report showed that timing does not make a difference. He suggested that before the Committee makes a decision, more time could be devoted to discussing this concept further with the technical team members.

Committee member Nelson suggested the group do both – use a Qa/Qc screen process and evaluate the entire data set to see if there was any difference.

Committee member Swedeen questioned if this alternative approach is making the effort more complicated and voiced concerns that another approach would take more time. She said she is not sure if a fish habitat assessment method evaluation is necessary at this time.

Committee member Herrera said he has concerns that an alternative approach may take another year to complete. He suggested that the 200 points they identified are acceptable to complete the analysis at this time and is consistent with how the analysis was performed in western Washington.

Marc Engel, DNR, said the Board tasked the technical team to find additional fish data. He said the Board also asked the Committee to address additional issues and that a request for an alternative analysis would need to be a request from the Committee to be taken up with the Board.

Committee Chair Guenther suggested the Committee take the alternative approach to the Board. He said the goal should be to get as much data as possible.

Committee member Swedeen did not agree that the Board needs as much data as possible and that the group exceeded the 60-point target identified by the expert panel report. She questioned if this alternative analysis would require DNR to go back and redo the western Washington PHB analysis. She said she supports using the data the Qa/Qc group found in addition to the tribal points.

Committee member Nelson said he was concerned there is not consensus with the approach.

Public Comment

Steve Barnowe-Meyer, Washington Farm Forestry Association mentioned that the Qa/Qc group was a subset of the technical team. He said that many folks understand that the current fish survey window does not always indicate accurate fish distribution. Since the 2001 CMER data showed that July 15 is not the best approach, he does not support eliminating fish points taken after July 15.

Committee member Swedeen suggested the Committee hold one more meeting to understand the Qa/Qc process and for all participants to voice their concerns. She also suggested Fransen could present his alternative analysis. She reiterated that she believe the Committee has enough points that she believes it is a non-biased data set.

Engel said DNR has resolved the methodology to conduct the width PHB in the spatial analysis and with the data set being considered DNR will be able to perform a statewide PHB analysis. He suggested the Committee recommend to the Board that DNR complete the analysis with the additional eastern Washington fish data the team identified.

Committee member Herrera said he believes the technical team has completed what the Committee requested them to do and that DNR has the information needed to continue with the analysis. He does not feel an additional meeting is necessary. He said he believes the eastern tribes support the screening effort.

Committee Chair Guenther acknowledged that timing is an issue, but said he would like to consider another approach to inform on the best available fish points.

Darin Cramer, Washington Forest Protection Association, said he has been consistent in his message all along – the rule making effort needs to follow the adaptive management process and need to ensure that we have solid technical work that supports the rulemaking record. He said the Committee decision should acknowledge the investment already made to determine fish distribution in the 2001 CMER study. He asked for clarification what DNR meant by suggesting DNR is ready to go with the analyses.

Barnowe-Meyer acknowledges the hard work done by the Qa/Qc process in addition to the second screening evaluation. He said he believed Fransen's approach would be able to evaluate the data even deeper.

Develop Committee Update and Possible Recommendations for the August Forest Practices Board Meeting

Committee member Swedeen questioned why no other technical team members are questioning the Qa/Qc process besides the industrial caucus. She suggested that the Committee hold one more meeting to further discuss these issues and perhaps consider a majority vote at that time.

Committee Chair Guenther and committee members Nelson and Herrera agreed to hold one more Committee meeting.

Engel confirmed the next meeting will be specific to the eastern Washington fish data efforts and will address two topics - recommendations to the Board and process and the methodology to evaluate the data. Staff will work to schedule a meeting prior to the August Board meeting and ensure those critical to the discussion can attend.

Meeting adjourned at 11:20 a.m.