

Timber, Fish, & Wildlife (TFW) Policy Committee  
January 5, 2017 DRAFT Meeting Summary

Decisions

Decision	Notes
1. <b>Agreed on a formal request to UPSAG on “Unstable Slopes Proposal Initiation Recommendations (p. 2-3).</b>	Consensus from all caucuses.
2. <b>Voted to approve Alternative 5 with the additional ability of the FWEP TWIG to include their recommended secondary response variables in the study design (p. 3).</b>	Consensus from all caucuses.
3. <b>WTMF-based map points small group to meet between January and February Policy meetings (p. 6).</b>	Jim Peters, Mary Scurlock, Marc Engel, Karen Terwilliger with the AMPA
4. <b>Water Typing-OCH small group to meet between January and February Policy meetings (p. 7).</b>	Steve Barnowe-Meyer, Marty Acker, Ray Entz, Mary Scurlock with the AMPA
5. <b>Voted to approve funding for Wetland Mapping Tool Project (p. 8).</b>	Consensus from all caucuses.
6. <b>Voted to approve funding for Literature Review and Synthesis Related to the Salvage of Fires Damaged Timber (p. 8).</b>	Consensus from all caucuses.
7. <b>Agreed to a process to move the Model Development and Evaluation of Default Physical Criteria forward with a vote at the February meeting (p. 8).</b>	

Action Items

Action	Assignment
1. Contact Howard Haemmerle, <a href="mailto:howard.haemmerle@dnr.wa.gov">howard.haemmerle@dnr.wa.gov</a> , with questions on Lean TWIG presentation by 1/23.	Caucuses
2. Contact Hans Berge, <a href="mailto:hans.berge@dnr.wa.gov">hans.berge@dnr.wa.gov</a> , with comments on the study design proposal for model and physicals, by 1/13.	Caucuses
3. Set working meeting by 1/23 with interested caucuses to make changes to study design proposal for February meeting.	AMPA

4. Meet before February Policy meeting to make progress on WTMF-based map points.	Jim Peters, Mary Scurlock, Marc Engel, Karen Terwilleger with the AMPA
5. Meet before February Policy meeting to make progress on OCH.	Steve Barnowe-Meyer, Marty Acker, Ray Entz, Mary Scurlock with the AMPA

**Opening** – Ray Entz 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 goals of this meeting were to continue the discussions on outstanding issues of the permanent water typing system, plus taking action on other Policy workload items.

**Announcements** –

- Michelle Wilcox will be Bill Zachmann’s EPA replacement in the Federal Caucus.
- Policy requested that the new Commissioner of Public Lands meet with Policy.
- The Co-Chairs are close to finding a replacement for Adrian; they hope to have that finalized by the February meeting.

**Meeting Summaries** – Meeting summaries from December 1 and 2, 2016, were revised per Policy comments and accepted by vote as final.

**Formal Request to UPSAG on “Unstable Slopes Proposal Initiation (PI) Recommendations”** –

Policy created a subgroup to come to consensus on the Unstable Slopes PI. The Forest Practices Board (Board) approved the recommendations of this subgroup through a motion at their August meeting. Following that meeting, there was no communication back to UPSAG and CMER. UPSAG has been working on the motions:

- **Topic #1: Potential Instability and Failure Mechanisms of Deep Seated Landslides (DSL):** UPSAG included deep-seated landslides in Dan Miller’s existing contract for glacial landslides. This contract ends at the end of June, so it will likely be done April or May.
- **Topic #2: Terminology related to Reactivation Potential of Relict v. Dormant DSL:** AMPA feels this topic should be a conversation between UPSAG and a geologist at the next UPSAG meeting. UPSAG will report back Policy at the March meeting with written documents or a presentation.
- **Topic #3: Scope potential for empirically-based runout risk screening tools for Shallow Rapid RIL Identification and Analysis:** Regarding the determination if an empirically-based runout tool can be developed, UPSAG could take it on in February. Policy will provide direction to CMER. Doug Hooks will coordinate with UPSAG and arrange for someone to provide a timeframe and better description of what it will take to do the work to Policy at the February Policy meeting.

**Decision:**

Policy offers the following timeframes and direction to UPSAG. All caucuses except the Federal caucus voted thumbs up; the Federal caucus voted sideways.

Topic #1: Complete the work through the existing contract by June 2017 at the latest.

Topic #2: Complete the work as a conversation at the next UPSAG meeting and report back to Policy in March with a written document or presentation.

Topic #3: Come back to Policy with a timeframe at the February Policy meeting.

Policy recommends that UPSAG reference the following documents:

- The relevant Board motion that controls the task;
- The Policy recommendations for a subset of Unstable Slopes PI;
- Unstable Slopes PI; and
- AMPA's recommendations to Unstable Slopes PI.

**Forested Wetlands Effectiveness Project (FWEP) TWIG** – Policy reviewed the FWEP TWIG's Best Available Science (BAS) & Alternatives Analysis. At the December meeting, the TWIG presented information on study design alternatives and requested approval on one approach to develop into a study design. Paul Adamus and Howard Haemmerle were present from the TWIG to answer questions.

Some caucuses expressed interest in the study design incorporating the secondary priority response variables, which the TWIG's preferred alternative does not include. The TWIG's response was that there is enough flexibility in their budget and design to add in some of the secondary priority response variables. The primary variables (and any secondary variables in the chosen alternative) will be measured in the wetland and in the stream. The TWIG supported adding secondary variables to the study design where possible. The secondary variables would not affect site selection. The secondary variables also differ in importance within the group.

The TWIG intends to include in its study design a modeling component that will allow a few years of data to project what is likely to happen. The TWIG acknowledged that neither modeling nor the chronosequence is perfect; however, modeling is more cost-effective.

The TWIG will measure connectivity, but the question of how much connectivity is significant is a Policy question and beyond the scope of the research study. The TWIG hopes to correlate information with rapid indicators that a landowner could use efficiently.

The AMPA noted there is likely enough funding for all the alternatives.

**Decision:**

Policy voted to approve Alternative 5 with the additional ability of the TWIG to include their recommended secondary response variables in the study design. All caucuses voted thumbs up.

**Legislative Updates** –

Jim Peters introduced Todd Bolster, NWIFC's new legislative specialist. Jim Peters encouraged other caucuses seeking support from NWIFC on legislation to send as soon as possible, because NWIFC operates with full consensus among all member tribes.

WDFW has proposed legislation for HPAs with a new fee structure (the current fee sunsets with this legislative session). The new fee structure is based on the complexity of a project. This provides new funding for biologists, more consistency for landowners with marine shoreline bulkheads, and greater consistency with the Shoreline Management Act (SMA).

The Fish Passage Removal Board has a \$23 million request in the Governor's budget. These funds would be particularly focused on lower parts of watersheds.

Several Policy caucuses are very concerned that the natural resources budget has declined. Ten years ago, natural resources programs comprised 2% of the state budget; now less than .7% of the budget is dedicated to natural resources. Policy caucuses agreed that educating legislators is critically important. Due to the Model Toxics Control Act (MTCA) \$75 million shortfall, the DNR forest practices program is vulnerable to budget cuts. In response, the environmental community is introducing a bill to fund forestry programs and hold the line in natural resources funding in the state budget.

WEC will work with WFPA on forest health and fire risk reduction. Heather Hansen has been working closely with DNR on fire support with small landowners.

WFPA has a new legislative director, Jason Callahan. WFPA is hopeful that the legislature will fund the Family Forest Fish Passage Program and other key programs more than the Governor's budget showed.

**Analysis of the TWIG Process** – Howard Haemmerle presented to Policy on the results of the Lean process for the TWIG. Howard has presented these recommendations to CMER.

Lean is a method and set of tools to help improve how products and services are produced. Lean promotes an understanding of what adds value to customers, how work gets done, how to identify the root causes of problems, what an ideal, no waste, process looks like, and how to improve performance. Lean implementation is focused on achieving perfect work flow while minimizing waste and being flexible and able to change.

A Lean assessment was requested by the Board as part of a larger evaluation of the Forest Practices Adaptive Management Program (AMP). Both CMER and Policy were evaluated with the Lean process. The CMER report was published in 2012.

Howard shared an evaluation of the TWIG Lean process. His recommendations are to:

- Identify clear roles and commitments on the part of all participants - CMER, SAG, AMPA, Policy, and TWIG members.
- Establish specific timelines for completion of steps and stick to them.
- Require all participants to work within the process.
- Obtain commitment from TWIG participants to meeting timelines (signed agreements).
- Protect TWIG from outside influence of SAGs, CMER, and Policy members during product development.
- Ensure that responses are clear and concise when input is requested by a TWIG.
- The CMER Work Plan should be reviewed by Policy and CMER and revised appropriately before the IWT begins development of skills needed on the TWIG and a list of potential participants.

- Change structure of TWIG by increasing use of external participants in the Lean Process.
- Establish a Lean monitoring group with the purpose of identifying and proposing corrective actions as needed.
- Develop a monitoring plan.

**Small Forest Landowners (SFLO) Caucus Presentation** – Ken Miller presented on behalf of the Small Forest Landowners Caucus. The caucus feels that the institutional memory of what the Forest and Fish Report (FFR) means has faded. SFLO leadership in 1999 felt that the FFR protected SFLOs. However, agencies may no longer feel empowered to provide alternate harvest restrictions for SFLOs, or understand what alternate harvest restrictions should look like. A Small Business Economic Impact Statement was completed when FFR was adopted by rule. There was a finding of disproportionate impact to SFLOs by FFR. This disproportionate impact can be mitigated by identified methods for reducing the impact of the rule on small businesses (RCW 19.85.030).

In addition, RCW 76.09.368 includes the legislature's intent that small forest landowners have access to alternate plan processes or alternate harvest restrictions, or both if necessary, that meet the public resources protections standards set forth in RCW 76.09.370 (3). The approval standard for an alternate plan, as defined in WAC 222-12-0401 (6), is that it must provide protection for public resources at least equal in overall effectiveness to the protection provided in the act and rules. SFLOs feel that they can undertake low impact management of trees close to a stream without compromising the stream resources.

SFLOs presented a draft template for an alternate harvest plan. SFLOs would prefer to have a rule, rather than a template, but recognize that a template allows regulatory flexibility and that Policy may be more inclined to accept a template rather than a rule. This template provides review of site specific additions. The smalls have done a literature review. The template is based on best available science and riparian management zone function protection. The template and FFR rule are similar in their projected impacts. SFLOs have a meeting scheduled with the AMPA to discuss the template further.

It is important for SFLOs that the ability to get approval from an interdisciplinary (ID) team or a DNR forester for harvesting a few trees within the 50' line is available. A SFLO can be greatly impacted by the possibility of or limitations on the harvest of a few trees.

*Discussion highlights from other caucuses:*

- Part of the reason the fixed width template was successful was that the conservation caucus and the industrial caucus jointly owned that issue and helped shepherd it through to completion.
- Upon joining Policy, SFLOs were committed to addressing the complexity of issues and not the disproportionate impact. Templates simplify complex situations, and do not address disproportionate impact.
- SFLOs might consider using their unique scale to their advantage, such as looking at cumulative impacts and site-specific prescriptions tied to a rule.
- Taking the template through the alternate plan process is much easier than taking it through Policy. Adrian Miller offered to help the SFLOs caucus think through the alternate plan process.
- Alternate plans are more feasible on the west side rather than the east side.
- SFLOs might consider redefining the definition of an SFLO, or proposing different templates for different sizes of SFLO. Providing more structure and limitation on who might be able to take

advantage of SFLO rules might give SFLO's greater buy-in for their template from other caucuses.

- In the HCP and FFR, there is a framework to discuss disproportionality of economic impact.

**Plaques presented to Adrian Miller and Dick Miller** – Policy presented outgoing Co-Chair, Adrian Miller, and former caucus representative, Dick Miller (in absentia), with plaques thanking them for their service to the State of Washington through the Timber, Fish and Wildlife Policy Committee.

**Dispute Resolution: WTMF-Based Map Points** – No progress on the dispute was made between December and January meetings. If Policy does not come to an agreement within Stage 1 of dispute resolution, the likely next step is third-party mediation through Stage 2.

The Co-Chairs suggested that a small group meet outside of the usual Policy meetings to develop a proposal for Policy. At February meeting, Policy can review the small group proposal and decide whether to continue in Stage 1 or move to Stage 2.

*Decision:*

Jim Peters, Mary Scurlock, Marc Engel, and Karen Terwilliger volunteered to meet offline with the AMPA and bring forward a proposal at the February policy meeting. This small group will follow Policy's guidelines, as follows:

- Information to be used by small group:
  - Existing information/evidence provided by caucuses for suggested options.
  - DNR's assumption that points carried over as "regulatory" are only as permanent until a process shows that point has now moved up- or downstream.
- Considerations to include:
  - Improvements to regulatory system regardless of rule change.
  - Existing agreements; explore uncertainty.

**Dispute Resolution: OCH** – Chris Mendoza of the Conservation Caucus presented his caucus's interpretation of off-channel habitat in the rule and Board Manual. The Conservation Caucus feels that limiting OCH to Bankfull Elevation instead of Ordinary High Water Mark (OHWM), when the latter is greater, will significantly reduce the amount of OCH available to fish seeking refuge from inhospitable, high flow/velocity in-channel conditions. They feel that doing so would go against both the WAC (222-16-010) and Board Manual guidance (Sections 2 and 8) for protecting periodically inundated areas of associated wetlands that serve as OCH.

Policy acknowledged that several ideas have been put forward on OCH by different caucuses.

*Decision:*

Steve Barnowe-Meyer, Ray Entz, Marty Acker, and Mary Scurlock volunteered to meet offline with the AMPA and bring forward a proposal at the February Policy meeting.

**Dispute Resolution: Fish Habitat Assessment Method (FHAM)** – The AMPA initiated the independent contractor team to review FHAM proposals. The team's evaluation report will hopefully be ready for the March Policy meeting's mailing. Default physicals are also included in the contractor review.

Policy and AMPA determined that caucuses cannot give presentations on their proposals to the independent contractor team, to keep the evaluation more anonymous.

Jamie Glasgow, from the Conservation Caucus, and Brian Fransen, from the Industrial Timber Landowner Caucus, reported out from a technical meeting of several caucuses. Each caucus gave a review of their proposal. The caucuses asked and answered questions, and started a list of common ground items. This small group ended with a commitment to meet again in January. The Industrial Timber Landowners Caucus shared that they feel there is common ground at a high level. The caucuses involved feel the most optimistic outcome would be a consensus product, although a list of areas of agreement/disagreement is a more realistic outcome.

The AMPA and the Co-Chairs noted that this group is welcome to meet offline but also that this is concurrent to the contractor team's evaluation of FHAM proposals. As Policy is in dispute resolution, this demonstration of continued active engagement by caucuses is highly encouraged. However, there can be no delay in getting materials to the Board under the dispute resolution timeline.

**Budget Update and Requests to Policy** – The AMPA gave an update on two budget requests to Policy from CMER, and plans to more fully update Policy on the budget at the February meeting. .

**Wetland Mapping Tool Project:** CMER has approved a request for a wetlands mapping tool project. This is a request for funding to complete the project using unspent funds within the Adaptive Management Program budget of \$75,416. The CMER project is a larger collaborative research effort being performed by the WDOE and the UW to improve the ability to identify and characterize wetlands more efficiently and accurately using remote sensing data. The CMER subcomponent is focused on improving the use of remote sensing to identify and characterize forested wetlands. According to the AMPA, there is a high degree of certainty that funds will be spent by end of fiscal year.

**Decision:** Policy voted to approve funding for this project. All caucuses voted thumbs up.

**Literature Review and Synthesis Related to the Salvage of Fire Damaged Timber:** CMER has approved a request for a literature review and synthesis on the salvage of fire damaged timber. This is a request for funding of \$75,000 to use unspent funds within the Adaptive Management Program budget to conduct this project. The focus will be on literature evaluating timber salvage after fire damage and its effects in and near riparian areas, as well as studies that will help identify the best available science as it relates to various methods of timber salvage and the resulting regeneration of forested upland sites. This project will help CMER and SAGE identify research gaps in fire salvage harvest practices which will inform the development of future research projects.

**Decision:** Policy voted to approve funding for this project. All caucuses voted thumbs up.

**Water Typing: Model Development and Evaluation of Default Physical Criteria** – The AMPA and Howard Haemmerle identified next steps in the model development and physical evaluation study design.

**Decision:**

Policy agreed to send questions or comments on the draft document to the AMPA by January 13<sup>th</sup>, 2017. By January 23<sup>rd</sup>, AMPA will set a meeting date and hold a working meeting with those interested caucuses to make changes. The goal of this meeting is to have a workable draft for vote at the February meeting.

At the February meeting, Policy will vote on the document; after that the AMPA hopes to begin contracting.

The Co-Chairs adjourned the meeting at XX. (4:45??)

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Attachment 1 – Attendance by Caucus at January 5 Meeting

**Conservation Caucus**

\*Mary Scurlock, M. Scurlock & Associates  
Chris Mendoza  
Jamie Glasgow

**County Caucus**

\*Kendra Smith, Skagit County

**Federal Caucus**

\*Marty Acker, USFWS  
Bill Zachmann, EPA

**Industrial Timber Landowners Caucus**

\*Karen Terwilleger, Washington Forest  
Protection Association (WFPA)  
Adrian Miller, Pope Resources, Co-Chair  
Brian Fransen, Weyerhaeuser  
Jason Walter, Weyerhaeuser  
Doug Hooks, WFPA, CMER Co-Chair

**Non-Industrial Timber Landowners Caucus**

\*Steve Barnowe-Meyer, Washington Farm  
Forestry Association (WFFA)  
Ken Miller, WFFA  
Elaine Oneil, WFFA

\*Caucus representative

**Others**

Paul Adamus  
Hans Berge, AMPA  
Claire Chase, Triangle Associates  
Rachel Aronson, Triangle Associates

**State Caucus – DNR**

\*Marc Engel, DNR  
Howard Haemmerle, DNR  
Heather Gibbs, DNR  
Joe Shramek, DNR  
Marc Ratcliff, DNR  
Angela Johnson, DNR

**State Caucus – WDFW/Ecology**

\*Rich Doenges, Ecology  
Mark Hicks, Ecology  
\*Terry Jackson, WDFW

**Tribal Caucus – Eastside**

\*Ray Entz, Kalispel/UCUT, Co-Chair  
Marc Gauthier, UCUT (phone)

**Tribal Caucus – Westside**

\*Jim Peters, NWIFC  
Ash Roorbach, NWIFC  
Curt Veldhuisen, SRSC (phone)  
Derek Marks, Tulalip Tribe (phone)

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
<b>Type N</b>	Type N policy subgroup	Caucuses are encouraged to talk offline about the wet season default methodology.
<b>Type F</b>	Policy	At regular meetings and small group meetings, Policy is working towards responding to the February 2014 Board motions (specific to off-channel habitat and electrofishing) in addition to other related water typing issues (such as default physical criteria, recovery, habitat, etc.).
<b>Small Forest Landowners Westside Template</b>	SFLOs Template Subgroup	SFLOs have presented a draft template to Policy and will meet with AMPA.
<b>Unstable Slopes</b>	Policy	UPSAG will address Policy’s recommendations at its next meeting and come back to Policy with updates in February.
<b>Ongoing CMER reports reviewed by Policy</b>	Doug Hooks & 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/Subgroup	Next Meeting Date	Notes
<b>TFW Policy Committee</b>	February 2	
<b>CMER</b>	February 28	
<b>Type N Policy Subgroup</b>	TBD	
<b>Type F</b>		To be addressed at regular Policy meetings.
<b>Forest Practices Board</b>	February 8	
<b>Small Forest Landowners Template Subgroup</b>	TBD	As workload allows.