

Timber, Fish, & Wildlife Policy Committee
December 4, 2014 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Accepted the November 13, 2014 meeting summary with minor edits.	Agreement by all caucuses
2. Received the RMZ-Resample Bird Study Final Report, recommending no action by the Board.	Agreement by all caucuses
3. Determined January 30, 2015 for electrofishing workshop.	Agreement by all caucuses
4. Determined April 9 & 10, 2015 for eastside off-channel habitat field trip and April Policy meeting.	Agreement by all caucuses
5. Determined meeting dates for 2015: January 8, April 9/10, May 7, June 4, July 9, August 6, September 3, October 1, November 5, December 3.	Agreement by all caucuses. February and March are not yet determined as they may be influenced by scheduling the westside off-channel habitat field trip.

Action	Assignment
1. Follow up on Fish Passage Effectiveness Monitoring: a. Investigate what it would take to do this project with or without funding. b. Discuss with DNR the logistics for obtaining access and notification for completed FPHP projects in order for WDFW to conduct fish passage effectiveness monitoring on forest lands. c. Report back to Policy these findings.	Terry Jackson
2. Have further discussions on options and priorities for fish passage effectiveness (parking lot).	Policy Committee
3. Bring memo on DNR's expectations for how to complete recommendations from Policy on unstable slopes.	Chris Hanlon-Meyer
4. Report back to Policy on the outcomes of the Lean Process review.	Amy Kurtenbach
5. Summarize Policy's recommendations for unstable slopes and the action items for Policy (or CMER/UPSAG).	Mary Scurlock
6. Make RMZ Bird Study – Resample PowerPoint presentation available on DNR's website.	Marc Ratcliff / Claire Turpel
7. Draft January 30 electrofishing workshop agenda to share at January 8 Policy meeting.	Stephen Bernath & Adrian Miller
8. Check with Weyerhaeuser for westside off-	Marc Engel

Action	Assignment
channel habitat field trip, confirm dates work.	
9. Send Doodle poll to schedule westside off-channel field trip (in Skagit region) in late February or early March 2015.	Stephen Bernath, Adrian Miller, & Claire Turpel

Welcome & Introductions – Stephan Bernath and Adrian Miller, Co-Chairs of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed the group and led introductions (*see Attachment 1 for a list of attendees*). The Co-Chairs reviewed the draft agenda, and had a few minor tweaks to accommodate schedules.

Announcements

- Senator Pearson, Chair of the Senate Natural Resources Committee, is willing to do an hour work session with TFW stakeholders in the first or second week of the legislative session, which begins January 12, 2015. (*More on this in the AMP Funding section on page 7.*)
- From Section 319 of the Clean Water Act, the Department of Ecology (Ecology) is required to do a nonpoint source pollution plan every 5 years, and they are working to update the plan by June 2015. The plan outlines the state’s strategy for addressing nonpoint source pollution, which includes forest practices. Ben Rau from Ecology will further update Policy on the effort to update the nonpoint source plan at the January 2015 meeting. A link to the current nonpoint source plan was shared with caucus leads.
- UPSAG met in November for the first time in several years. There were ten people at the meeting including Isabelle Sarikhan from DNR who is the chair.
 - UPSAG reviewed the draft research strategy that was developed by technical members earlier this year.
 - UPSAG’s near-term priority is to focus on the literature review. They are working on the scope and questions and should it ready soon for contracting.
 - Policy agreed that having more regular updates from UPSAG would be helpful, as there were several follow-up items that UPSAG is working on from Policy’s recommendation to the Board on unstable slopes. The CMER Co-Chairs can do this in their CMER updates to Policy at each monthly meeting.
 - A caucus asked if there is a document outlining what Policy recommended to the Board about unstable slopes, and a way to continually track the action items. Some of that is captured in the PowerPoint that Stephen Bernath gave to the Board at the November meeting. Mary Scurlock volunteered to put together a document, using that PowerPoint, to outline what Policy recommended and to track the action items by Policy, CMER, and UPSAG.
 - The Governor’s 530 Commission produced a final report which was shared recently at a Senate hearing. This work is distinct from the recommendations that Policy provided to the Board in November. The 530 Commission final report was shared with Policy.
- The subgroup to discuss action items from the Bull Trout Overlay (BTO) final report scheduled their first meeting for Friday, January 9, from 9am – noon at Department of Ecology. The group tried to schedule a meeting in December but schedules did not align.

- The eastside tribal caucus noted that if the meeting is unable to happen in January, their caucus would consider not supporting more time on the subgroup's work, which would result in non-consensus on the final report.
- A caucus asked whether there would be a revision of the shade rule. It was noted that the subgroup would address this, and report back to Policy at a later date.

November 13, 2014 Draft Meeting Summary – Minor edits were offered to the draft November meeting summary. Those were accepted by all caucuses and the meeting summary was accepted as final. There were a few action items that will carry into the next meeting; those are noted at the top of this meeting summary.

RMZ-Resample Bird Study – Chris Hanlon-Meyer, acting Adaptive Management Program Administrator (AMPA), reviewed his memo to Policy that recommended no further action on the final study report. With consensus, this would mean that Policy would recommend to the Board in February to take no formal action. The discussion included:

- The full RMZ-Resample Bird Study was not yet shared with Policy, so the full report was shared at lunch for Policy to review if desired. The final decision on this was made after that time to review. Also, the presentation slides shown to Policy at the November meeting by Scott Pearson will be available on the DNR website.
- While several caucuses agreed with the Hanlon-Meyer memo, a caucus also noted that this is an important study that shows long-term viability of these bird populations. This study will be reported on at the CMER Science Conference on February 11 & 12, 2015. The authors intend to submit the study in early 2015 to *Ecological Applications* for publication.
- It was noted that DNR archives all reports, and categorizes them into active & ongoing studies vs. studies that have been completed and approved.
- The 6 Questions refer to new research to fill gaps in information. There is no current intention to do a follow-up study to fill those gaps. As other studies are starting to show, there is a lot of site-specific variability and understanding that might be of interest for more research in the future.
- It was asked that the 6 Questions document have the title of the study at the top; the document will be edited to reflect that change.
- The original study predates the Forests & Fish Report and therefore has an unusual pathway to how this study got into the CMER workplan. It was asked that this be clarified in the AMPA's responses to questions 7, 8, and 9.
 - Similarly, there was discussion about the response to question 1, which asks if the study informs a rule, numeric target, performance target, or resource objective. Some caucuses thought the response should be no, but others explained that since the question asks whether the study "informs" instead of something more direct, it is appropriate to leave the response as yes.
 - This will also be acknowledged in the AMPA's response to questions 7, 8, and 9.

Decision: After time over lunch to review the full report, Policy approved the acting AMPA's recommendation to take no further action on this report. This means that Policy, by consensus, agrees to recommend to the Board to take no action on the study.

Type F – Policy discussed several dates and upcoming meetings to continue the effort on Type F water typing.

- Electrofishing Workshop
 - The best date found in the Doodle poll is January 30, 2015, all day. Two caucuses marked unavailable in the poll but agreed to make that date work. In order to help those who will travel for the workshop, it was requested that it start early (8am) so it can end earlier.
 - The audience for this workshop will be the Policy caucus leads, but other technical experts are welcome. The workshop will be open to others who do not usually attend Policy meetings. If a caucus plans to have a representative from their caucus on the technical group, it is encouraged that that person attends this workshop as well.
 - The workshop will be conference style, not a field trip. It will likely be organized similar to the mass wasting workshops in 2013. There will be several content-heavy presentations in the morning, with time for more substantive questions and discussion at the end.
 - The Co-Chairs outlined the schedule for the workshop, which will include these topics:
 - History and context of this issue and question
 - Federal services' presentation on permitting process and how electrofishing relates to the Habitat Conservation Plan (HCP)
 - WDFW's presentation on Scientific Collection permitting process
 - DNR's presentation on water type modification forms and Board Manual Section 13
 - Practitioners' presentations from several caucuses
 - Q&A; substantive discussion
 - Discuss next steps, particularly questions for a technical group
 - The goal of the workshop is to develop Policy's direction to a technical group. This workshop will allow for everyone to have a common informational basis before moving forward.
 - The Co-Chairs request that caucuses hold questions until the end of each presentation, so that there is time for everyone to present and still have time for discussion at the end. Only clarifying questions will be taken throughout presentations, to help maximize time. The Co-Chairs will monitor the Policy dialogue to make sure there is enough time to do everything planned.
 - The Co-Chairs will draft an agenda and share with Policy at the January meeting.
 - The focus of this workshop will be on how practitioners actually implement the current protocol in the field, and how the current protocol is reviewed. The focus may not be how the protocol addresses presence/absence vs habitat, though avoiding this completely may be difficult.
 - Landowners have several company practitioners who will present, but they are encouraged to work with other practitioners who will be presenting, in order to reduce duplication.
 - This will be an iterative process, as this electrofishing workshop is only the first step for addressing the issues of concern surrounding the water typing rule. There will be further

opportunities to review and discuss what is presented at the workshop as well as what the technical group provides to the Policy group.

- Off-Channel Habitat Field Trips
 - Policy agreed to meet on April 9 and 10 for the joint April monthly meeting and eastside off-channel habitat. The eastside tribal caucus (UCUT) will help by reserving rooms, hotel information, etc.
 - Policy tried to find a date in February/March to do the joint March monthly meeting and westside off-channel habitat. No date was easily found so a Doodle poll will be sent to schedule that 2-day event.
 - DNR will work with Weyerhaeuser to see if it is possible to view off-channel habitat on their property in the Skagit region.

2015 Meeting Dates – Policy reviewed the schedule of proposed dates for 2015. Usually Policy meets the first Thursday of every month, but there are a few exceptions known for 2015:

- January’s monthly meeting will be switched to January 8 to avoid the New Years’ Day holiday.
- July’s monthly meeting will be switched to July 9 to avoid the Fourth of July holiday.
- April’s monthly meeting will be switched to April 9 or 10 with the eastside off-channel habitat field trip.
- The March monthly meeting may be switched; a Doodle poll will be sent to finalize that date with the westside off-channel habitat field trip.

Board Manual Section 16 and Rule-Making Update – Marc Engel shared the following updates:

- Rule-making
 - The Board accepted the draft rule language in November.
 - The formal public comment period is open from December 2, 2014 – January 8, 2015.
 - DNR will hold two meetings on the draft rule language:
 - For all Policy Committee stakeholders: January 6, 2015 from 2-4pm in room 172 of the Natural Resources Building.
 - Public hearing: January 7, 2015 from 4-5:30pm at the Natural Resources Building.
- Board Manual Section 16 stakeholder group
 - The stakeholder group has formed and the first meeting will be December 10 at the Department of Architecture and Preservation. The group will be organized and run in the same way as other Board Manual development processes.
 - The group will address the topics as they stand in the newly-accepted Board Manual section. Then they will review run-out and work to incorporate that into the section. The goal is to be complete with the review by June 2015, for the August Board meeting.
 - The interim nature of the newly-accepted Board Manual means that it is the permanent manual until changed.

AMP Budget Update – Chris Hanlon-Meyer, acting AMPA, prepared budget update for Policy. His notes and the discussion included:

- The document prepared shows expenditures for FY14 and planned expenditures for FY15. It does not reflect a projection to the end of the biennium but shows how the first year of the biennium ended.
- It is unclear at this point whether under-spending will be actual savings (e.g., some projects cost less than budgeted), or if the payment will be made later than the projected date. That information will be clarified after next quarter, then the AMP could consider using under-expenditures for other projects that might exceed the projected budget.
- By March 1, 2015, DNR estimates they will have a good sense about which projects will be over- or under-budget. This will influence the AMP funding request, which is a general fund request. So if it is projected that the AMP will under-spend in this current biennium, they could potentially reduce the amount of funding they are requesting from the legislature in the next biennium.
 - DNR will report back to Policy after March 1 how the AMP spent money in the first half of FY15, and the projected fund balance at the end of the biennium.
- If the AMP funding request is approved by the legislature, the AMP would be partially funded by the Forests & Fish Support Account (FFSA) and the general fund. The general fund allocation would be spent first, supplemented by the FFSA, because FFSA funds can roll over year to year.
- By late spring, Policy should know the legislative appropriations for the AMP, and then can see if the Board needs to tweak anything on the Master Project Schedule, which was approved in summer 2014. The only potential difference to that plan is if the legislature goes later than the regular session, and works into the summer.

Legislative Updates – Each caucus had an opportunity to share information from their perspective about the upcoming legislative session:

- Conservation Caucus
 - The Washington Environmental Council (WEC) and Washington Conservation Voters merged and now share one CEO, though they maintained separate staff, president, and boards of directors.
 - The caucus was still finalizing their legislative priorities as of this meeting, but they will likely focus on putting a price on carbon and marine/rail oil transportation safety.
 - The Nature Conservancy and WEC sent a letter to the Governor encouraging him to put the AMP funding request from DNR into the Governor's proposed budget.
- Washington Forest Protection Association (WFPA)
 - WFPA will likely not introduce any bills this legislative session, though they are considering supporting a biomass tax credit.
 - The AMP funding request from DNR is WFPA's priority, and the caucus will be coordinating a work session with legislators in January.
 - The DNR budget package outlining a switch to the Aquatic Lands Enhancement Account (ALEA) funds is concerning, but they will try to support DNR's budget package nonetheless.
 - There are also a few items in the capital budget that they support, including the Washington Wildlife & Recreation Program and the DNR Community Forest Program.
- Counties

- The counties were also concerned to see the DNR budget package include a switch to ALEA funds.
- The counties will be supporting a funding request for Blanchard Mountain (approximately \$5.5 million).
- The counties will likely not introduce any bills.
- Washington Department of Fish & Wildlife
 - The critical issue for WDFW this legislative session is the outlook for the agency if the Governor's potential 15% cut is imposed. If that happens, WDFW's options would include:
 - Reducing the Hydraulic Permit Approval (HPA) program by eliminating general funds from the program. This would reduce biological staff capacity by 39% (from 31 to 19 biologists), and would eliminate a research scientist. This would reduce the agency's capacity within the HPA program and also in the FPHP support to DNR.
 - Reducing the number of enforcement officers (up to eight officers), affecting up to eight counties.
 - Reducing hatchery operations and Puget Sound shellfish and commercial fisheries participation.
- Tribes – each sovereign tribe participates in the state legislature differently; overall comments are noted here:
 - Westside tribes
 - Support the AMP funding request from DNR.
 - Oil spills are concerning to several tribes along marine waters, and may come up in the legislative session.
 - Eastside tribes
 - Oil and coal transportation issues are important.
 - Support the AMP funding request from DNR. The Upper Columbia United Tribes (UCUT) are working on a letter to the Governor to encourage him to include the AMP funding in his proposed budget.
- Washington Farm Forestry Association (WFFA)
 - In general, WFFA supports several pieces of the DNR funding request, including:
 - Forest Riparian Easement Program (FREPP) payments,
 - Family Forest Fish Passage Program (FFFPP), and
 - AMP funding.
 - WFFA also supports the trespassing bill that was not passed in the last session.
- Federal Caucus – nothing to report as they observe rather than participate in the state legislature.
- Department of Ecology
 - No forestry-related legislation, but Ecology will support whatever the Governor decides to do about climate change, whether it is a carbon tax or a cap-and-trade initiative.
 - Ecology is also working on the human health criteria for water quality, which is part of the commitment to stakeholders to reduce toxics in the Puget Sound.
 - Supports the AMP funding request from DNR.
- Department of Natural Resources
 - DNR's funding request to the Governor included three capital requests:

- Family Forest Fish Passage Program
- Riparian Habitat Open Space Program
- Forest Riparian Easement Program
- DNR also put a forest practices compliance decision package into their funding request.
- DNR will introduce a bill relating to geologic hazards assessments. The proposal would modify the RCW to add clarity to DNR's role regarding LiDAR data, which is consistent with Policy's recommendation generated earlier this year.
 - DNR's proposal has to be vetted with the Office for Financial Management because the state has a governance structure for statewide IT security.
 - A caucus asked about the LiDAR Consortium and how it relates to this bill. It is separate, as it is a county-led effort and does not make sense to sit with a state agency.

AMP Funding – DNR reviewed their funding request to the Governor. Discussion included:

- The request is for \$5.9 million from the general fund, to make up for the gap between what the Board approved for FY15-17 and the estimated amount in the Forests & Fish Support Account. A failure to receive this funding would likely mean an 80% cut to the proposed budget for the next biennium. That would mean cuts to projects, staff, etc.
- If they haven't done so already, caucuses are encouraged to send letters of support to the Governor's office to support DNR's funding request, so the Governor includes the AMP funding in his proposed budget. Caucuses are encouraged to share their letters with one another.
- WFPA has taken the lead to set up work sessions with both the Senate and House natural resources committees. The CMER Science Conference on February 11 & 12 will also be a good opportunity to work with legislators, and a reception for legislators is planned for the evening of February 11.
- The reason for doing a funding request through DNR this time instead of a bill is that they heard from the House leadership that last time the bill was dead on arrival – it is hard to have a bill for that much dedicated funding. Those working on the bill last session heard from the House leadership that if they get the AMP funding into the Governor's proposed budget, they will include it in the House budget.
- There was some concern about using ALEA funds differently, though it would not be for the AMP. DNR brought that option to the table that if a 15% cut is necessary, the general Forest Practices program could be partially funded through ALEA instead of the general fund, though that would be separate from the AMP funding.
- A small group is working on prioritizing the AMP funding request, including representatives from DNR, WEC, WFPA, and Ecology. Others are welcome to join that effort.

CMER Update – Mark Hicks, CMER Co-Chair, updated Policy from the last CMER meeting:

- Amy Kurtenbach is finishing her review of the Lean Process and will likely have a report back to Policy in 2015.
- The CMER Science Conference will be February 11 & 12, 2015, a flier will be shared soon. The first full day will focus on the Hard Rock Study.
- CMER approved the Wetlands Research Strategy and the Wetlands Literature Synthesis, which will come to Policy for review/approval in January.

- The whole Scientific Advisory Group is serving as the Initial Writing Team to create the list of initial TWIG members.
- WFFA had nominated Tom Ruby to participate, but he was not chosen due to enough people already with the qualifications needed for the TWIG. WFFA is welcome to bring up this issue more formally at the next CMER meeting.
- The RMZ-Resample Bird Study 6 Questions were approved by CMER and delivered to Policy at this meeting.
- The Hard Rock Study is going through the final stages of CMER review, then it will go to ISPR. The authors will meet with the ISPR contact at the University of Washington (UW) to see how to package the study most efficiently for ISPR.
- RSAG met with Dr. Moskal at UW to talk about how to make a matrix for different forms of remote sensing that could potentially be used for extensive monitoring. This will likely go to Policy for review in February.
- The eastern Washington Type N Forest Hydrology Study is ready to go to ISPR, likely in the next few months.
- SAGE will meet next week and will consider a few items, including:
 - The EWRAP response matrix
 - Tentative results of the summer Eastside Type N study
- A Policy member commented about the impressive number of big projects that are getting completed.

Next Steps

- Policy reviewed the monthly workload and made some tweaks given updates at today's meeting.
- Type N will likely need to wait at least until spring 2015 before several caucuses have the capacity to revisit that issue and work on solution(s).

The Co-Chairs adjourned the meeting at 3:15pm.

Attachment 1 – Participants by Caucus at 12/4/14 Meeting

Conservation Caucus

Chris Mendoza
Lisa Remlinger
*Mary Scurlock

County Caucus

*Kendra Smith, Skagit County

Federal Caucus

*Marty Acker, USFWS

Landowner Caucus – Industrial (large)

Doug Hooks, WFPA
Adrian Miller, Olympic Resource Management
(Co-Chair)
*Karen Terwilleger, WFPA

Landowner Caucus – Non-industrial (small)

*Dick Miller, WFFA

*Caucus leads

Others

Marc Hayes, Ecology
Claire Turpel, Triangle Associates

State Caucus – DNR

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

State Caucus – Ecology & WDFW

*Stephen Bernath, Ecology (Co-Chair)
Mark Hicks, Ecology
*Terry Jackson, WDFW

Tribal Caucus – Eastside

*Ray Entz, UCUT (phone)
Marc Gauthier, UCUT (phone)

Tribal Caucus – Westside

Mark Mobbs, Quinault
*Joseph Pavel, Skokomish
Nancy Sturhan, NWIFC
Curt Veldhuisen, SRSC (phone)

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
Type N	Type N policy subgroup	On hold until other workload lessens.
Type F	Policy	<u>Electrofishing workshop</u> : January 30, 2015 <u>Westside off-channel habitat field trip</u> : Feb or Mar 2015, TBD <u>Eastside off-channel habitat field trip</u> : April 9 or 10
Unstable Slopes	Policy	Board accepted Policy's recommendations; now DNR/UPSAG are working on implementing those recommendations.
Bull Trout Overlay	Policy	To be further discussed by a subgroup of Policy members. First subgroup meeting: January 9, 2015, 9am – noon.
Adaptive Mgmt Program Reform Rule Changes		Accepted by Board at August 2013 meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
Ongoing CMER reports reviewed by Policy	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
TFW Policy Committee	January 8, 2015	
CMER	December 23, 2014	CMER Science Conference: February 11 & 12, 2015
Type N Policy Subgroup	TBD	On hold due to workload constraints.
Type F Subcommittee(s)	TBD	Policy will put dates on the calendar at the December meeting.
Forest Practices Board	February 2015	