

Timber, Fish, & Wildlife Policy Committee
 April 21, 2014 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Use the Mass Wasting study authors' memo with the Policy Co-Chairs' talking points when updating the Board at the May meeting.	Agreement by all caucuses.
2. Provide the Board with the initial version of the Master Project Schedule.	Agreement by all caucuses.
3. Direct the CMER Co-Chairs to include agreed-upon considerations when CMER revises the Master Project Schedule.	Agreement by all caucuses.

Action	Assignment
1. Draft talking points to the Board on Policy's discussion about mass wasting, public safety, and the review of the Unstable Slopes Research Strategy.	Stephen Bernath and Adrian Miller
2. Email DNR's flowcharts and narrative on the revised FPA review process.	DNR
3. Draft April 21, 2014 meeting summary.	Claire Turpel

Welcome & Introductions – 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*). The facilitator reviewed the agenda and there were no suggested changes.

Co-Chair Comments to Address New Direction – The Policy Co-Chairs appreciated everyone responding to their request to change this special meeting from focusing on Type F to focusing on mass wasting. They intend to report to the Board in May where Policy left off on the Type F work, as well as noting that the April 21st special meeting and part of the May 1st regular Policy meeting were devoted to mass wasting. The Co-Chairs will indicate that if the Board wishes Policy to change direction, they will need to change Policy's priorities since the current top priority is Type F.

One caucus mentioned concern about the process that made mass wasting the top priority. Usually, Policy works by consensus and this issue was brought to Policy through direction of the Board Chair. One caucus's Board member was not aware that the Board Chair had brought this topic to Policy as a new priority. There are already many topics on Policy's workload that need to be addressed. The hope is that this is an extraordinary circumstance, and normally priorities will be brought forward to Policy in the typical process. It is also expected that the Board will re-visit its priorities for Policy during their May meetings.

Report from the Mass Wasting Effectiveness Monitoring Project study authors – Greg Stewart and Curt Veldhuisen presented a memo from the study authors, written in coordination with Julie Dieu. The

Policy Co-Chairs had asked them to answer the technical aspects of the Board Chair's questions that were delivered at the April 3, 2014 Policy meeting.

When carrying out the study, the authors were aware that public safety is incorporated into the forest practices rule, though public safety was not explicitly a separate issue considered by the study. They designed the study to look at landslide initiation and landslide density. The study blocks were required to have all treatment blocks and all had minimum landslide density, which had few public safety issues (i.e., houses or public roads). The study authors did not separate public safety from public resources in the Mass Wasting Effectiveness Monitoring Project (MWEMP) except for mentioning that it is an issue in rule. Additionally, the study area was south of glaciation. Of all the study sites, 15 were deep-seated landslides, and only 2 of those had public safety issues. Part of the Board Chair's questions asked if public safety and public resources could be separated within the MWEMP data retrospectively, but because there were no sites that apply to glacial deep-seated landslides, other datasets would be more useful.

Discussion:

- There are other datasets that could provide more information about glacial deep-seated landslides, including a dataset from the 2009 storm around Morton, on Highway 108. The Washington Department of Transportation may have more data because their data is specific to roads and therefore would include public safety. The Adaptive Management Program (AMP) could learn a lot more about glacial deep-seated landslides from a larger dataset.
- There is vast literature on landslides and their hazards, including work in Washington, Oregon, and British Columbia on hazards to houses and roads downslope of forest practices. Unfortunately, glacial deep-seated landslides are some of the hardest to study because their different settings and different materials mean that they are not generalizable. Despite that, Policy agreed that it is important to study this type of landslide.
- Policy agreed that in the Co-Chairs' report to the Board at the May meeting, they could use the memo from the study authors to help answer the technical questions from the Board Chair. They will note that glacial deep-seated landslides were excluded from the report.

Policy's Discussion on Response to the Board Chair's Questions

In April 2013, Policy accepted the Mass Wasting Effectiveness Monitoring Report Findings Package. When Policy accepts reports from CMER, they usually recommend an action to the Board. In this case, Policy convened a subcommittee of the whole to agree upon recommendations to the Board. In January 2014, Policy approved a set of recommendations which the Co-Chairs reported to the Board in February. These recommendations recognized numerous changes in DNR's process for identifying landslides, and included some process changes, compliance monitoring changes, and a plan to review the Unstable Slopes Research Strategy. A glacial deep-seated landslide research and monitoring program is in the Research Strategy, so by default Policy indirectly will review that type of landslide.

Discussion:

- There may be a need to bifurcate the review of the Unstable Slopes Research Strategy: one part to address the process (regulation) and one part to review the work needed by future research.

- One question for the Board is if they want Policy to continue looking at public safety, is it for all Rule-Identified Landforms, or just for glacial deep-seated landslides?
- Make sure the Board understands that Policy did not focus the discussion on public safety because it did not feature much in the MWEMP.
- Policy also discussed the resource objectives laid out in the Forests & Fish Report (FFR) and the Habitat Conservation Plan (HCP).
 - There are varying perspectives within Policy about how much public safety is incorporated into the resource objectives, and therefore how much the AMP addresses public safety.
 - Since there is no explicit public safety resource objective or performance target, a question for the Board is if they want to revise Schedule L-1 to explicitly incorporate public safety. Historically, resource objectives related to the Forests and Fish Report were created to focus on what happens to the fish habitat and water quality, not the effect on humans (including public roads and houses).
- Policy discussed the difference between “public resources” and “public safety.” Some consider public safety to be included within the definition of public resources.
 - The definition of public safety includes: “Reducing risk to public at large from snow avalanches...or landslides or debris torrents by forest practices” (FFR).
 - The definition of public resources includes: Fish, water, wildlife, capital improvements to the state, and cultural resources (in statute and rule).
 - Paula Swedeen mentioned that the Board might be interested in Policy exploring the difference between public safety and public resources, and how their similarities and differences would play into future studies.
- Policy discussed how public safety is incorporated into various documents/processes involved in the landslides screen, including the State Environmental Policy Act (SEPA) rules, HCP, and FFR. There are varying perspectives on how well the current rules account for risk to public safety.
- Policy discussed that the rules may define RILs well (including identifying groundwater recharge areas), but implementing protections for those areas may still be difficult.
- Landslides will always happen at the natural background rate. The AMP’s role is related to landslides that happen outside that rate, due to forest practices.

The Co-Chairs appreciated Policy’s participation in this discussion. They will draft talking points to the Board based on this discussion, which will be discussed at the May 1 regular Policy meeting.

Unstable Slopes Research Strategy – The Co-Chairs reminded Policy that the goal of this discussion is to have an outline of the process needed to adequately review the Research Strategy. Mark Hicks reviewed the Research Strategy components, which includes four programs: the Unstable Landform Identification Program, the Glacial Deep-Seated Landslide Program (which was included in the FY15 budget approved by Policy on April 3), the Mass Wasting Effectiveness Monitoring Program, and the Mass Wasting Validation Program. The Co-Chairs anticipate that the Board will ask Policy to develop a process/timeline for reviewing the Research Strategy.

Discussion on how to incorporate public safety into the Research Strategy review:

- The Unstable Slopes Criteria Project incorporates public safety and public resources.

- There are many more players who should be involved in the risk evaluation and discussion of public safety. Policy should consider how much is appropriate for Policy to consider and how much should be considered by another group of different players. A team of geologists could help assure the Board that Policy is comprehensively considering this topic.
- There is importance in identifying hazards, which can be thought of as the formula (risk) = (hazard) x (consequence).
- One caucus sees public safety as a process question, not a research or science question. The question of risk aversion can be answered in DNR's process. Another caucus mentioned that even with adequate tools and training, there is still the need for direction on how to implement the tools and training to correctly identify the dangerous features.
- When considering the Research Strategy, Policy will include any needed work in the upcoming budget projections.

The Co-Chairs will put together draft talking points for the Board for how Policy anticipates reviewing the Unstable Slopes Research Strategy. Policy will have a chance to review this at the May 1 regular Policy meeting.

Forest Practices Application (FPA) Process Update – Marc Engel presented DNR's revised FPA review process that was part of Policy's recommendations from the Mass Wasting Effectiveness Monitoring Project. The flowcharts provided by DNR outline their process for reviewing FPAs, and are based on the presentations DNR gave to Policy in August 2013. Marc reviewed guiding language from FFR, SEPA rules, and the forest practices rules. These outline DNR's purview to classify each FPA as a Class I, Class II, Class III, or Class IV-Special, which have varying levels of regulation on sloped landforms.

If mitigation is involved, it is contained within the geotechnical report. Only Qualified Experts can provide a geotechnical report, which is what the foresters base their next steps upon, including mitigation. There is some consistency provided through the qualifications needed to become a Qualified Expert.

There will be more questions and discussion about DNR's revised FPA review process at the May 1 regular Policy meeting.

Master Project Schedule – Jim Hotvedt re-organized the Master Project Schedule at the Board Chair's request. There are no additional projects in this revised version, but they have been re-organized to show current topics up top. Jim also revised the Master Project Schedule based upon Policy's decisions at the April 3 meeting, such as putting an "x" in years where a study is projected to have work, except current projects or those that will start before 2017. Policy provided direction to Jim to keep the budget numbers for projects that are complete but will need re-sampling in future years.

Discussion:

- The budget numbers are based upon 2015 dollar amounts. The Master Project Schedule does not account for inflation.
- There will be a footnote added that this version is under discussion and Policy is working on a revised version that will go to the Board in August 2014. The footnote will also explain that the

document is for planning purposes and if Policy does not reach agreement by August 2014, the default version will be from March 2014.

- The CMER Co-Chairs will plan to review the Master Project Schedule with CMER at their April 22 meeting, and consider any directions/criteria provided by Policy. They will review the Schedule line by line to identify if the budget numbers are accurate, and then will consider how all the proposed studies in one year will work together given known budget limitations.
- From past years, the AMP knows that CMER is able to do an amount of work each year that is roughly \$3-4 million.
- One caucus is concerned about the political feasibility for how much funding the AMP can ask the legislature for, given the failure of the AMP funding bill to pass in the 2013 legislative session.
- There is desire for a joint CMER-Policy discussion about the Master Project Schedule. It is likely that the discussion will be iterative, going back and forth between Policy and CMER several times before August.

Decisions: Policy agreed that this version with an “x” for all future projected work will go to the Board in May 2014. Additional work will be needed to revise the Master Project Schedule for the August Board meeting. For that effort, Policy agreed upon the following directions to the CMER Co-Chairs:

- Reduce annual costs below the range of \$3.8 – 4.2 million
- Review 2016 and 2017 projected costs and priorities relative to \$3.8 – 4.2 million ballpark
 - Include consideration of extensive studies, etc.
 - Move projects into future (or cut), to reduce budget peaks
- Add missing projects into Schedule with costs
- Use current priorities as a starting point (i.e., current projects, CWA projects, etc.)
- Add glacially deep-seated landslide program to Schedule

The Co-Chairs adjourned the meeting at 5:00pm.

Attachment 1 – Participants at 4/21/14 Meeting by Caucus*

Conservation Caucus

Peter Goldman, WFLC
Chris Mendoza
*Mary Scurlock
Kara Whittaker, WFLC

County Caucus

*Kendra Smith, Skagit County
Laura Merrill, Washington State Association of
Counties

Federal Caucus

*Marty Acker, USFWS

Timber Industry

Kevin Godbout, Weyerhaeuser
Doug Hooks, WFPA
Adrian Miller, Olympic Resource Management,
Co-Chair
*Karen Terwilleger, WFPA

Small Forest Landowners

*Dick Miller, WFFA

Others

Jim Hotvedt, Adaptive Management Program Administrator
Greg Stewart, CMER
Paula Swedeen, Board member
Claire Turpel, Triangle Associates
Bob Wheeler, Triangle Associates

State Caucus – Ecology and Fish & Wildlife

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

State Caucus – DNR

Marc Engel
*Chris Hanlon-Meyer

Tribal Caucus – Eastside

Todd Baldwin, UCUT, CMER Co-Chair
*Ray Entz, UCUT (phone)
Marc Gauthier, UCUT (phone)

Tribal Caucus – Westside

Mark Mobbs, Quinault Nation
*Jim Peters, NWIFC
Nancy Sturhan, NWIFC
Curt Veldhuisen, Skagit River System
Cooperative