

VTAC Meeting Minutes

September 9, 2011

Mendocino National Forest Supervisor's Office
Willows, California

Attendance

The following VTAC members attended the meeting:

Mike Liquori (Chair), Dr. Kevin Boston, Richard Gienger, and Mark Lancaster.
Dr. Matt O'Connor participated by conference line.

The following VTAC agency representatives attended the meeting:

Bill Stevens (NMFS), Bryan McFadin (NCRWQCB), Bill Short (CGS), and Pete Cafferata (CAL FIRE).

Attendees:

Duane Shintaku (CAL FIRE) and Dennis Hall (CAL FIRE). Crawford Tuttle (CAL FIRE) participated by conference line.

[Action items are shown in bold print]

VTAC Announcements/Old and New Business

Richard Gienger announced that AB 380, titled the "Comprehensive Forest Land Recovery and Restoration Act," was placed on Appropriations suspense file on July 11, 2011. On August 25th, the bill was held under submission in committee due to funding issues from DFG; it has now been made a two year bill. Information on this bill is posted online at: http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_380&sess=CUR&house=B&author=chesbro

Richard also showed a short PowerPoint presentation with 12 historical photos, some going back to the late 1970's. This PPT was shown at the "Coho Salmon on the Brink: Understanding the Depth of the Crisis and Recovery Strategies" hearing, held at the Capital on August 16, 2011. The Joint Legislative Committee on Fisheries and Aquaculture, chaired by Assembly Member Wesley Chesbro, convened the hearing (for the complete agenda, see the following website: <http://www.asmdc.org/members/a01/hearing-coho-salmon-on-the-brink/item/2982-agenda--presenter-information>). Videos of the presentations are available online: <http://www.calchannel.com/channel/viewVideo/2906> (also 2907, 2930, 2931, and 2932).

Discussion on the Revised VTAC Pre-Consultation Guidance Document

The revised pre-consultation guidance document, incorporating changes suggested at the VTAC meeting held on August 12th, was discussed by the group. A version of the document showing Peter Ribar's suggested changes was also handed out and

reviewed. Mike Liquori captured suggested changes real-time with a laptop computer version of the draft document projected on a screen to the group. Modifications suggested for the guidance document included:

- Under “Purpose” in the introduction/instruction portion of the form, it was suggested that a statement should be included for rapidly identifying potential issues of concern that may require additional considerations for the project prior to expending large amounts of time and effort. Additionally, it was suggested adding a purpose statement for evaluating the project in the context of viable alternatives that will meet the restoration and recovery objectives of the ASP rules (this is further defined in the 5th bullet below).
- Provide summary information on the project proposal on the first page of the form. Include this under the “General Project Description Summary” section. Included language is similar to the following: “Summarize the “who, what, where, and why” for the project sufficient to provide agency staff with sufficient context to understand issues before the field site visit. The plan proponent should outline the initial justification for the proposed project.”
- Spell out SSD (southern sub-district) under “General Project Information.”
- Include barrier modification/removal as a potential project type. Also, include crossings under the sediment reduction project type. Peter Ribar’s suggested changes for project types were acceptable to the VTAC.
- It was suggested that language be added that articulates that the project proponent must meet the requirements of 14 CCR § 916.9(v)(1) (i.e., the project must result in effects to beneficial functions of the riparian zone equal to or more favorable to those expected to result from the standard 916.9 rules). This will be accomplished on page 6 under “Project Rationale”—adding language stating that the project proponent should include the preliminary rationale for consistency with requirements in 916.9(v)(1).
- Also under “Project Rationale,” add language suggesting that a summary of resource conditions at the watershed scale from existing watershed analyses, assessments, TMDLs, other reports, etc. be included.
- Change “Beneficial Functions” to “Improvement of Beneficial Functions” and add to the existing list the following: (1) habitat improvement (e.g., pools, cover), and (2) fish passage improvement (beyond those already required by the FPRs).
- On page 8, under “Agency Response to Pre-Consultation,” change the perspective so that it is geared towards the RPF (i.e., “the plan proponent is encouraged to engage with the agencies...”).

- Under “RPF Pre-Consultation Summary,” call this Part II of the form, allowing it to be submitted with the THP if so desired by the RPF (call it “Pre-Consultation Results”). The first part of the form is to be labeled as Part I and denoted as “Pre-Consultation Information.” Modify the language describing the summary at the beginning of Part II. Add CGS and NMFS to the list of agencies listed on the “Preliminary Issue Summary Table (aka “scorecard”). Change “US—Unconditional Support” to “S—Support.” Provide a hypothetical example for the first line in the scorecard (such as elevated water temperature) to illustrate how to use the table.
- Under “Agency Contact List,” remove “Agency” and just refer to it as a contact list.
- Make reference to the California State Coho Recovery Plan recommendations in the introduction/instruction section for the form.
- Add a footnote that states that when the CEQA review process starts, the public has access to pertinent information that the lead agency or responsible agencies used to make their determination.

Mike Liquori stated that he will send out a new draft of the pre-consultation guidance document for VTAC to review prior to the next meeting, with the goal of finalizing it at that time.

Discussion of Explicit Riparian Design Conceptual Framework Document

Mike Liquori led a discussion of the draft document authored by Dr. Doug Martin and Mike titled “Explicit Riparian Design Conceptual Framework.” This paper will be part of a larger document that will be submitted to the USFS in approximately 60 days to fulfill SBI grant deliverable requirements under an existing contract. Mike asked the VTAC if the current version is: (1) complete/concise, and (2) can be used for the VTAC guidance document, as well as for additional comments. Specific comments included:

- Evaluation at the watershed scale is not adequately described (additional context understanding is necessary).
- The document seems excessively focused on fish, and not sufficiently on other sensitive resources (e.g., tailed frogs, salamanders, macroinvertebrates).
- Class II watercourses should be examined in greater detail.
- How similar is the “intrinsic potential” described in this document to that used in federal recovery plans?

- In the Appendix under the California rule section, key portions of the current 916 rule section language are missing.

Mike Liquori stated that he would incorporate these suggestions in the final document submitted to the USFS. The discussion then focused on how this document could be used in the VTAC work. It was agreed that this section of the grant write-up could be used for the expert analysis approach in the VTAC guidance document (this is approach 3, which complements approach 1--the default tables/matrices method and approach 2--the situational examples method). A list of watershed tools/models will be included to be used with this method, but few specifics will be provided, since this is a broad, open-ended methodology (i.e., only a conceptual framework for option 3 will be provided). This section will provide context for how to approach using the expert/custom analysis method.

Kevin Boston reasoned that if a project proponent is undertaking riparian management at the watershed scale, it would be reasonable to use a watershed analysis approach, whereas if the analysis is for a small scale reach, it would be more appropriate to use one of the simpler methods (i.e., matrices or situational examples). As complexity increases, the likelihood of using the expert analysis approach (option 3) goes up as well. A goal in the VTAC guidance document will be to avoid making the regulatory agencies think that a plan proponent should always be expected to use the expert analysis approach.

Pete Cafferata, Dennis Hall, and Kevin Boston volunteered to help Mike Liquori pull this section into the master VTAC guidance document and have a draft version available for review for the next meeting.

Continued Discussion of Potential VTAC Pilot Project Locations

Mike Liquori stated that timber sales on Jackson Demonstration State Forest (JDSF) are being investigated for possible inclusion as VTAC pilot projects. Additionally, he said that Green Diamond Resource Company continues to express willingness to work with the VTAC on two potential pilot projects on their timberlands in Humboldt County. Bill Stevens informed the group that if placement of large wood in a channel on JDSF is found to be appropriate as part of a THP, it may be appropriate to test the concept of using a project-level HCP, as was discussed at the last VTAC meeting for meeting federal ESA incidental take requirements for listed fish species.

Mike Liquori asked the VTAC to form a subgroup, to be denoted as the "Outreach Subcommittee," to move the pilot projects forward. Specifically, this subcommittee is to: (1) work on outreach to landowners to get pilot project commitments, (2) integrate with the Jackson Advisory Group (JAG) regarding possible projects on JDSF, (3) coordinate timing of pilot projects, and (4) discuss monitoring options for pilot projects. This outreach work will continue the work that Crawford Tuttle began last year and will use the list of 12 landowners Crawford contacted at that time. **Mark Lancaster, Duane Shintaku, Bill Stevens, Pete Cafferata, Crawford Tuttle, and Mike Liquori will be members of this new subcommittee. Duane agreed to**

contact Campbell Timberland Management, The Conservation Fund, and Green Diamond Resource Company regarding their fall THP submissions and possible inclusion of pilot projects. Crawford Tuttle agreed to contact Mr. Chuck Bonham, recently appointed Director of the Department of Fish and Game, to solicit their participation in the VTAC.

Discussion of the Draft Typical Section V Situation Examples Document

Mike Liquori briefly introduced the draft typical situation examples document he developed for inclusion in the VTAC guidance document. There was a suggestion to develop the situation examples around photographs and diagrams. **Kevin Boston stated that illustrations in “Oregon’s Forest Protection Laws—An Illustrated Manual (Oregon Forest Resources Institute 2011) may be useful (see: http://www.oregonforests.org/assets/uploads//OR_For_Protect_Laws_2011.pdf, in particular see Chapter 6, pages 110-127 on roads and stream crossings). VTAC participants should download this document and review the diagrams.** Bryan McFadin suggested possibly using diagrams that Mike Furniss, USFS PSW, has developed for past road and crossing projects. **Photos that VTAC members and representatives have that represent the situations described in the draft situation examples document should be located and archived for possible use in future versions of this section of the guidance document.**

Mike Liquori asked that suggestions made with Track changes be sent to him by September 16th so that he can incorporate them in a new version to be reviewed at the next VTAC meeting.

Next VTAC Meeting

The next meeting is set for October 14th, with the location to be determined.