March 22, 2010

To: Forest Practices Board

From: Darin Cramer
Forest Practices Division Manager

Subject: Response to Recommendations from the Watershed Analysis Mass Wasting Prescription Committee

Forest Practices Division staff have developed a plan for responding to the recommendations delivered to you at the February 10 Board meeting. The plan summarized below and in the attachments contains two parts, one that does not involve rule making and one that does; consequently, the plan has both a near and long term component. We are beginning to implement the near term component and recommend the long term component be implemented as well. Since the long term component requires rule making, Board action is necessary.

The near term component (Attachment 1) does not involve rule-making, but is responsive to the Committee's recommendations. Approved watershed analyses (WSAs) will be prioritized for review based on a standardized set of criteria - WSA that have had a recent review approved by DNR will likely be low priority, those having experienced a recent significant storm event and high numbers of landslides will likely be high priority, and the remainder distributed in between. In addition to developing the prioritization criteria, DNR will develop a standardized WSA review process - both the prioritization criteria and the review process will be developed in consultation with stakeholders. Our intent is to have a complete prioritized list of approved WSAs by August and a standardized review process by November. As part of the review process we are proposing to develop a step whereby a landowner can withdraw WSA mass wasting prescriptions, as well as an update option whereby a landowner can supplement or replace WSA prescriptions with the forest practices rule identified landforms and an avoidance/mitigation strategy.

The long term component (Attachment 2) is focused on WAC 222-22-090, and is intended to address gaps in the current WSA review process, and shift review responsibility to landowners with an interest in maintaining WSA. Since WAC 222-22-090 is an asterisked rule, any proposed changes need to be developed within the Adaptive Management Program and agreed to by Department of Ecology. Staff has developed an adaptive management proposal packet per Board Manual Section 22 for your consideration. The proposal packet addresses the items outlined on pages 22-7 & 8 in the Board Manual and, if approved by the Board, will be forwarded to Jim Hotvedt, Adaptive Management Program Administrator. Jim will respond to the questions on pages 22-8 & 9 and forward a recommendation to

Forests and Fish Policy (Policy) for consideration. This proposal is relatively complex and Policy currently has a heavy workload with several competing priorities. Therefore, if the Board concurs with the staff recommendation to advance this proposal, we also recommend the Board allow Policy to prioritize this proposal within its existing work list and report back to the Board with an estimated schedule for completion.

The remaining attachments are for your information and simply provide additional context for understanding. These attachments are: 3) a narrative description of how unstable slopes are addressed in the forest practices rules; 4) a copy of chapter 222-22 WAC, Watershed Analysis and WAC 222-16-050, Classes of forest practices; 5) a list and map of currently approved watershed analyses; 6) the unstable slopes rule group section from the draft 2011 CMER work plan; and 7) the original recommendations from the committee on WSA.

Should you have any questions in advance of the March 26th meeting I can be reached at (360) 902-1088 or darin.cramer@dnr.wa.gov.

DC/paa
Attachments