



Above: DNR Archeologist Lee Stilson documents a Quileute petroglyph found on state land near the Calawah River. Below: Tribal staff serves vital roles in helping locate and document cultural resources.

ENSURING PROTECTION OF CULTURAL RESOURCES

Cultural resources help define human history, remind us of our interdependence with our land, and show how cultures change over time. These resources are evidence of how people lived, where important events occurred, and where traditional, religious and ceremonial activities took place throughout Washington. The Washington Forest Practice Board has adopted rules for ensuring forest landowners and tribes communicate before a Forest Practices Application containing cultural resources is approved.

The cultural resources rules:

- Provide opportunities for tribes to notify DNR when a proposed forest practice contains a cultural resource
- Requires landowners to contact the tribe(s), and
- Encourages landowners and tribes to meet and agree on a plan to protect the cultural resource. These voluntary management strategies can be implemented by the landowner through the forest practices application and enforced by DNR. In some cases, the Department of Archaeology and Historic Preservation may be involved if it is an archaeological or historic site.

Current Process for Protecting Tribal Cultural Resources in Forest Practices

1. Tribes are notified of forest practices applications through DNR's Forest Practices Application Review System (FPARS). Tribal officials responsible for safeguarding cultural resources are encouraged to sign up with the review system to ensure they receive email notifications when applications are received within a tribe's identified area of interest. Tribes are also encouraged to contact DNR to ensure areas of interest are correctly identified within FPARS.
2. When a tribe determines a proposed FPA contains a cultural resource, the tribe can contact DNR within 10 days of the application to have DNR notify the landowner that a meeting is required with the tribe.

NOTE: Some tribes have agreements with landowners to review cultural resources prior to submitting FPAs. This is the best opportunity to influence landowners to protect cultural resources without being subject to regulatory timeframes.
3. When a meeting is required between landowners and tribes, it is the responsibility of the landowner to arrange a meeting with the tribe, onsite, to determine if there is a cultural resource that may be impacted by the proposed FPA.
4. If there are potential impacts to cultural sites, the landowner and tribe(s) work together to establish a plan to protect the site.
5. Once a plan is agreed to, the landowner submits to DNR an amendment to the proposed FPA showing the mitigation measures, such as moving harvest unit boundaries or establishing leave trees to protect the cultural resource. This step ensures DNR can oversee these changes when the FPA is approved and protects the confidentiality of the tribe's cultural site.
6. DNR approves/disapproves the FPA within 30 days.



IDENTIFICATION, PROTECTION, AND MANAGEMENT OF CULTURAL RESOURCES THAT ARE SIGNIFICANT TO THE HISTORY AND CULTURES OF THE PEOPLE OF WASHINGTON IS FACILITATED THROUGH THE TIMBER/FISH/WILDLIFE (T/F/W) CULTURAL RESOURCES ROUNDTABLE

7. Assuming DNR approves the FPA, the tribe should review the final FPA through FPARs to ensure the proposed activities include the amendment to protect the cultural resources. The tribe should contact the landowner if there is a concern about the amendment.
8. Implementation of the approved FPA should ensure the landowner's activities protect the cultural site per their agreement with the tribe(s).
9. DNR is committed to overseeing the FPA is carried out as written. When there is failure to comply with an operational change to the FPA to implement a mitigation measure, DNR will take appropriate enforcement action.

*For more on how DNR ensures FPAs protect cultural resources, contact:
Donelle Mahan, Forest Practices Assistant Division Manager for Operations
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Current Cultural Resources Activities of Note

The T/F/W Cultural Resources Roundtable is now being facilitated by a contractor, Terracon. A note taker is also being supplied.

Per the Forest Practices Board, all T/F/W committees, including the Cultural Resources Roundtable, are discussing how co-chairs are selected and have been asked to report back to the Board at the November meeting.

Current topics being addressed by the T/F/W Cultural Resources Roundtable include:

- » Discussion of predictive models and their appropriate role in forest practices.
- » Review of the Cultural Resources module in watershed analysis and whether this should be standalone guidance.
- » Discussion of DNR's limited regulatory authority around cultural resources.
- » Discussion of education for forest landowners about cultural resources.
- » DNR adding inadvertent discovery language to the FPA decision page.
- » Discussion regarding how we know if tribal cultural resources are being protected or not.

Cultural Resources Roundtable Information

Meets third Tuesday of each month (9am – 2pm)

Co-chairs: Jeffrey Thomas, Puyallup Nation; Karen Terwilliger, WFPA

Facilitator: Rob Ziegler, Terracon, 425-771-3304

Call-in information is listed on each month's agenda, posted online at:

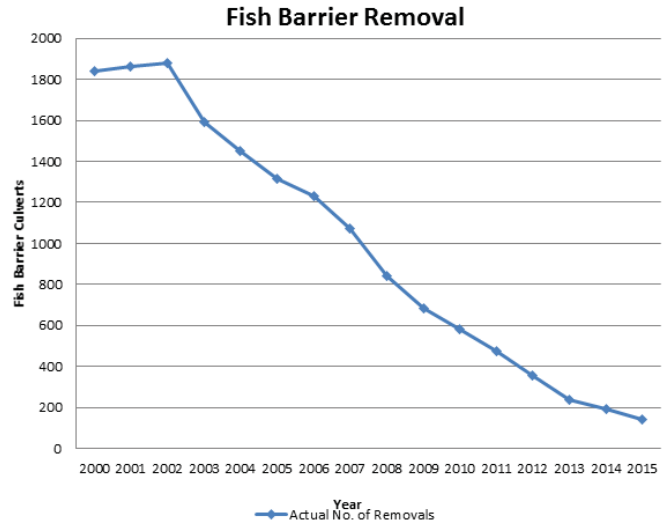
[www.dnr.wa.gov/about/boards-and-councils/forest-practices-board/
timber-fish-and-wildlife-cultural-resources](http://www.dnr.wa.gov/about/boards-and-councils/forest-practices-board/timber-fish-and-wildlife-cultural-resources)



REDUCING FISH BARRIERS

Since 2001, the number of identified fish passage barriers went from 1,864 in DNR's initial inventory to 2,404 due to land transactions, stream habitat surveys, identification by Forest Practices staff and tribal partners, and failures of previously-passable culvert structures. In the past 14 years, DNR has taken 2,261 barriers off the list through remediation, stream surveys, land transactions, and better inventory efforts (identifying culverts that are not DNR's responsibility, like culverts on county roads, state highways, or Forest Service roads).

In 2014, DNR removed 103 fish barriers from the statewide list and identified 54 new fish barriers that we added to the list.

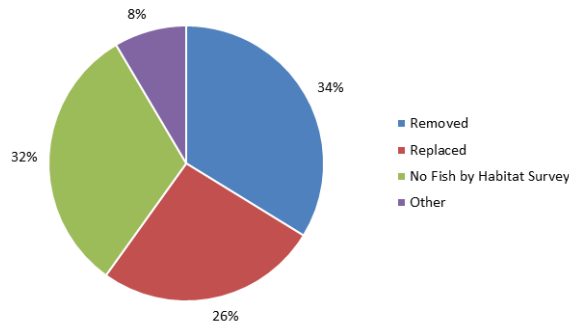


DNR has 49 fish barrier remediation projects scheduled for 2015 statewide.

DNR has an approved road maintenance and abandonment plan extension for some of our fish barriers. Most of these barriers are located in Olympic Region, with a few in the recently acquired Teanaway Community Forest in Southeast Region. All other regions are scheduled to have fish barrier culverts corrected by October 31, 2016.

Injunction Fish Barriers

2002-2014 DNR Fish Barriers Removed from List by Type



DNR began 2013 with 118 barriers on the "official barrier" list submitted to the Court.

Since 2013, DNR has removed 89 barriers and added 14. We started 2015 with 53 barriers to correct, 43 of which are on the "official list" needing correction by October 2016. The remaining 10 are on the "6-year after identification" timeline allowed under the injunction.

DNR has 25 fish barrier repairs or removals, subject to the injunction, scheduled for 2015. These are included in the statewide schedule.



Fish passage in Christmas Creek, a major smolt-producing tributary of the Clearwater River in west Jefferson County, was improved by a barrier removal project funded by DNR and done in close consultation with the Quinault Nation and the Pacific Coast Salmon Coalition.



TRADITIONAL GATHERING ON DNR MANAGED LANDS

DNR respects tribes' rights to gather natural materials from DNR managed lands. Tribal leaders have stressed to us the importance of access to state lands for cultural practices and to harvest traditional plants, roots, berries, wildlife, cedar bark and bough and firewood.

DNR committed to ensuring open lines of communication with tribal members to allow appropriate access to these lands.

DNR appreciates when tribal members contact DNR Regional Management to inform them of upcoming gathering activities (contacts below).

Current DNR practices

- DNR law enforcement respects tribal enrollment cards as valid for gathering purposes. They have been instructed to respect that form of ID and not to confiscate materials or cite gatherers
- Conversely, non-tribal gathering is subject to DNR permission and control. This covers "special forest products" gathered commercially, such as salal, mushrooms, and bear grass
- When notified, DNR staff may be able to facilitate gathering: for example, notify gatherers that cedar bark is available prior to an upcoming harvest, provide safety information such as warning about timber operations, spraying, etc., and talk about short and long-term gathering plans.
- DNR cultural resource staff have recorded sites associated with ancient and historic tribal gathering, leading to protection under state law.



REGION	CONTACT	PHONE
Northeast	Bob McKellar	509-685-2703
Northwest	Laurie Bergvall	360-854-2847
Olympic	Drew Rosanbalm	360-374-2807
Pacific Cascade	Mary McDonald	360-575-5003
Southeast	Larry Leach	509-925-0923
South Puget Sound	Dave Lorence	360-802-7015



PARTNERSHIPS ENSURE WATER TYPING REFLECTS CHANGING ENVIRONMENT

Water typing is a cornerstone of riparian protection of streams in the Forest Practices Rules. The forest practices rules require riparian protection to ensure water quality and fish habitat is restored and maintained. Protections include buffers adjacent to streams to preserve riparian functions (e.g. bank stability, shade, nutrients, large woody debris recruitment and sediment buffering). Water typing also drives the decision of whether a stream crossing needs to be fish-friendly and sets buffers for the application of forest chemicals.

DNR maintains a statewide GIS hydro-layer database to identify water types by classification as defined in the forest practices rules. The map provides up-to-date information for use by landowners, local governments and tribes.



New stream information and requested updates are submitted to DNR on a Water Type Modification Form. DNR then initiates a collaborative review process through a Water Type Review Team made up of DNR, tribes, Washington Department of Ecology, Washington Department of Fish and Wildlife and landowners.

A variety of information including fish presence, stream flow and stream channel characteristics is used to establish the water type designation for a segment of a stream.

Each year a determination is made regarding the potential impacts of stream flows from seasonal weather patterns or drought. DNR issued an annual stream flow forecast in February identifying a high potential for low flow conditions in Washington. In March Governor Jay Inslee issued official drought declarations. In response, DNR, WDFW and Ecology determined any water type modifications this year will be highly scrutinized.

DNR is holding Water Type Modification Forms until adequate field staff return from fire duty to initiate the collaborative review process and convene the Water Type Review Teams. This will ensure adequate time is given for comprehensive review by the teams.

Next Steps – DNR is committed to maintain the collaborative process of the Water Type Review Teams. DNR depends on Tribal representation along with our agency partners to assist in our decision making.

Water Type Review Team information is available at:
www.dnr.wa.gov/forest-practices-water-typing

Contact:
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DNR DEPENDS ON TRIBAL PARTICIPANTS FOR EXPERTISE IN IDENTIFYING AND PROTECTING PUBLIC RESOURCES AND FISH HABITAT IN PARTICULAR.

Interdisciplinary (ID) Teams – Use, Participants, Outcome

The Forest Practices Board adopted rules in 1988 that incorporated the use of Interdisciplinary Teams (ID teams) identified in the TFW agreement to facilitate review of proposed forest practices activities that need additional expertise. DNR depends on the participation of our TFW partners on ID teams to provide scientifically-based information to inform DNR decisions.

Assembled by DNR, ID teams are comprised of subject matter experts who are best able to respond to technical questions associated with proposed forest practices activities (e.g. erosion control, unstable slopes, water type modifications, alternate plans, road maintenance and abandonment plans, or proposals to mitigate public resource damage).

ID teams consult with DNR to help make decisions on FPAs containing alternate plans, water typing and proposed water type modifications, new stream-adjacent parallel roads, harvest units greater than 120 acres, and other site specific issues.

DNR identifies the technical expertise needed, then invites individuals with appropriate expertise as team members. Other members of the TFW community may be invited to the ID team meeting. In many cases a site visit is included to provide a clear understanding of the proposal.

DNR depends on tribal participants for expertise in identifying and protecting public resources and fish habitat in particular.

In most cases the ID team agrees on a course of action based on the oral comments of the technical experts. In more complex reviews of proposed forest practices activities, written reports from the technical experts are requested to assist DNR's decision.

Next steps - Continue to maintain a venue for open discussion regarding complex forestry practices. DNR commits to provide an inclusive and welcoming atmosphere to all participants. All concerns and recommendations will be considered before decisions are made.

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