WASHINGTON STATE DEPARTMENT OF
Natural Resources

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Commissioner of Public Lands

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To: Forest Practices Board

From: Marc Engel and Julie Sackett, Forest Practices Assistant Division Managers

Subject: Status of RMAP Recommendations and DNR Operations Plan Update

The Board, at their August 2010 meeting, accepted Policy's recommendations for changes to the RMAP program. This memo provides a summary of Policy's recommendations and the status of how DNR, in consultation with TFW stakeholders, is implementing those recommendations.

Policy Recommendation

The Policy Committee recommended rule changes to allow large forest landowners operating under an RMAP, and small landowners choosing to file an RMAP, to apply for an extension of the RMAP deadline for a maximum of five-years (to July 2021). In order to receive an extension beyond the existing 2016 deadline, landowners would need to file a new or amended RMAP, including a summary of all remaining work and a schedule for completion at an adjusted even-flow pace. Amended RMAPs are to apply worst-first principles to prioritization and scheduling of remaining RMAP work.

Program Response

DNR has developed rule language, approved by Policy, incorporating the recommendations to:

- Give landowners the opportunity to request an extension for up to five-years or until July 1, 2021;
- Establish the process to request an extension including the requirement to submit a revised RMAP addressing elements (3) through (6) in WAC 222-24-051;
- Establish a process for stakeholder review of the revised RMAP as part of the extension request prior to DNR's decision to approve or disapprove. The process will be at least 120 days, of which:
  - The first 90 days leading up to DNR's approval/disapproval decision date offers 45 days for stakeholder review and 45 days for DNR, landowners and stakeholders to address any identified issues;
  - If approved, the final 30 days allows the landowner time to prepare their annual work plan with the revised road work.
- Notification to stakeholders by DNR of all changes to approved RMAPs.

By way of reminder, WAC 222-24-051 (3) through (6) are summarized below.

- Plan priority work based on the highest potential benefit to public resources in basins containing, or road systems potentially affecting:
  - Waters containing threatened and endangered fish species or 303(d) listed water bodies;
  - Potentially unstable slopes in areas containing sensitive geology/soils;

        - Ongoing restoration projects; and
        - High use in connection with future forest practices activities;
    - Incorporating "worst first" principles for planned work by emphasizing:
        - Roads with fish passage barriers;
        - Roads that deliver sediment to typed water;
        - Roads with evidence of existing or potential instability that could adversely affect public resources;
        - Roads or ditchlines that intercept ground water; and
        - Roads or ditches that deliver surface water to any typed water;
    - Inclusion of:
        - Ownership maps showing all forest roads, orphaned roads, planned abandonment, all typed waters, Type A and B wetlands adjacent to or crossed by roads, stream adjacent parallel roads and inventory of existing condition;
        - Detailed description of first years' work and an even-flow schedule over the proposes performance period;
        - Standard practices for routine road maintenance;
        - Strategy for pre-storm planning, emergency maintenance and post-storm work; and
        - Inventory and assessment of risk to public resources or public safety of orphaned roads;
    - Scheduling road work based on priorities to:
        - Remove fish passage barriers on roads affecting most habitat first;
        - Prevent or limit sediment delivery from roads;
        - Correct unstable sidecast and drainage on roads in areas where mass wasting could deliver to a public resource or affect public safety;
        - Disconnect road drainage from typed waters;
        - Repair or maintain stream-adjacent parallel roads to minimize or eliminate sediment delivery to typed waters;
        - Improve hydrologic connectivity of surface and intercepted subsurface waters;
        - Repair or maintenance work for maximum operational efficiency.

DNR has prepared all documents in preparation for Board action to initiate rule making. Staff has prepared draft rule language, as well as a draft Cost Benefit Analysis and Small Business Economic Impact Statement. These are available for Board review in the Board packet. Staff has also prepared a draft RMAP State Environmental Policy Act (SEPA) environmental checklist. The Commissioner of Public Lands, Responsible Official for the Board, has issued a Determination of Non-Significance based on his review of the draft SEPA environmental checklist. This document will be made available for public review.

Policy Recommendation

Update the Forest Practices Board Manual Section 3, ***Guidelines for Forest Roads*** *to provide specific RMAP reporting procedural guidance, including data collection requirements and procedures, reporting requirements, and compliance.*

Program Response
DNR has convened a stakeholder group to amend the Forest Roads board manual. This has resulted in a draft manual, approved by Policy, for reference during the public review process of the proposed RMAP rules. After compiling/reviewing public comments, DNR will reconvene stakeholders to finalize the board manual to incorporate comments and key elements of the RMAP operational plan, such as standardized reporting forms.

Board Manual Section 3, *Guidelines for Forest Roads* has been amended to:

- Emphasize the requirement to address elements (3) through (6) of WAC 222-24-051 in a new or amended RMAP;
- Explain the process for requesting an RMAP extension;
- Provide an overview of the RMAP database, including how DNR will collect data from the landowners on standardized forms.
    - RMAP reviewers will be able to view the data and complete limited queries.
- Outline the steps for a landowner to complete an RMAP, including DNR documentation acknowledging that RMAP work is complete; and
- Emphasize the collaborative process involving DNR, landowners, and stakeholders in the review, scheduling, and completion of RMAP work.

DNR staff will request the Board approve inclusion of the draft Forest Roads board manual in the rule making materials for public review and comment during the RMAP rule making process.

Policy Recommendation
Develop an operational plan to address RMAP related issues in a comprehensive manner. Elements of the operational plan will include: support for the rule change and amended reporting and compliance procedures; support to enhance and standardize the information gathering and reporting system; descriptions of expectations for completed RMAPs; enhanced communication and collaboration among DNR staff, RMAP reviewers, and landowners; and an agreement to collaboratively pursue sufficient funding to achieve results.

Program Response
Many of the components of the "operational plan" are incorporated into the revisions to the rules and/or board manual. Other components include development of a state wide data management system, which will enable DNR RMAP Specialists to better track progress of RMAP implementation and accomplishments as well as increase efficiency of on the ground compliance efforts.

DNR is developing standardized data collection and reporting forms for landowners to submit as part of their annual accomplishment reports; these data will be used to build the RMAP data management system. As has been the case in the past, changes to RMAPs, annual accomplishment reports and work plans will be made available to reviewers on a regular basis; these should be easier to review in the future due to standardization across the state in addition to developing a web-based information site. DNR will continue to review/approve annual work plans in consultation with Ecology, Fish and Wildlife, affected tribes and interested parties.

Finally, we will seek to reinvigorate region annual WRIA meetings, which are formal opportunities for landowners, stakeholders and DNR to cooperatively discuss past work and obtain input on work priorities for the upcoming year. Outside of this forum, interested reviewers are encouraged to request meetings with landowners, preferably in advance of submitting a revised RMAP and/or annual work plans to discuss progress and priorities.

The revised Forest Roads board manual already reflects many of these components; others will be incorporated as necessary when complete and/or in response to public comment.

Other Policy Recommendations

A number of recommendations accepted by the Board involve Policy commitments to collaborate on a variety of topics. These include securing funding for assessing the status of small forest landowner roads, the Family Forest Fish Passage Program (FFFPP) and adaptive management. Additional commitments include: supporting the Watershed Analysis rule-making; convening a principals meeting to describe a common direction on the RMAP extension, a statewide meeting (or regional depending on time/resources) to review and improve RMAP reporting elements, and regional RMAP teams to enhance communication/coordination; consider targeted tax incentives to encourage early completion of RMAPs.

Program Response

DNR has, and will continue to request the legislature fully fund the Family Forest Fish Passage Program and the assessment of the status of small forest landowner roads. DNR is also implementing the RMAP rules and the operational plan as it is being developed. This includes convening the annual WRIA meetings, work plan reviews, and implementing review of requested RMAP extensions through facilitating stakeholder review and comment. DNR does not have the capacity to take the lead in convening additional groups/meetings outside of those required by current rules. We suggest more dialog at Policy and regional TFF groups regarding the need and capacity for convening additional groups/meetings beyond those currently underway.