WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Washington State Commissioner of Public Lands

MEMORANDUM

TO: Forest Practices Board

FROM: Jim Hotvedt, Adaptive Management Program Administrator

DATE: October 18, 2010

SUBJECT: Adaptive Management Program

As you know, in March 2010 the Adaptive Management Program (AMP) submitted three applications to an Environmental Protection Agency (EPA) request for applications for scientific studies and technical investigations in support of implementing the Puget Sound Action Agenda. Two were submitted by DNR on behalf of the program and a third was submitted by the Department of Ecology (Ecology). In August, Ecology was informed by EPA that their application had been selected for funding. We have Mark Hicks of Ecology to thank for doing the yeoman's work in writing the application and agreeing to undertake this endeavor.

The formal title of the project is "Effects of Forestry of Headwater Streams in Erodible Lithology" and is a study that will satisfy the objectives of the "Type N Experimental Buffer Treatment Project in Soft Rock Lithologies" found in the 2011 CMER Work Plan that the Forest Practices Board (Board) approved in May. The study is a high priority Clean Water Act assurances milestone project and will focus on determining if the prescriptions found in the Type N Riparian Prescriptions Rule Group are effective in achieving Forests and Fish performance targets and water quality standards, particularly as they apply to sediment and stream temperature.

This study will be implemented in spring 2011 and is expected to be completed in 2018. The EPA funding will partially support the first four years of the project, which will include study site selection, two years of pre-harvest data collection, and one year of data collection during harvest operations. The AMP will be expected to fund the remaining four years of the study, which includes two years of post-harvest data collection, data analysis and report writing, and shepherding the report through the AMP review process.

Although a final budget has not been developed in detail, the soft rock project is expected to cost in the neighborhood of $2.7 million. The EPA funds will account for $694,000 and Ecology has committed to $1,150,000 from state general fund dollars it receives for implementing the Forests and Fish agreement. The Board will be asked to approve approximately $820,000 for the last four years of the project.

The conditions of this grant create an unusually tight timeframe for CMER projects. Consequently, meeting the requirements of the EPA funding will have its challenges, particularly over the next few months. AMP participants will need to be flexible in applying its protocols and standards. CMER is

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carefully evaluating ways to find efficiencies in CMER process to meet the grant's timeline for deliverables, without diminishing the scientific credibility of the study.

For example, a Quality Assurance Project Plan (QAPP) must be submitted to EPA by March 2011, and field work needs to begin May 2011 in order to meet scheduled grant deadlines. CMER is contemplating combining components of the CMER study design, QA/QC plan, and field manual with the required QAPP. The content that is normally part of these components will be included within the QAPP, but the QAPP will meet the formatting guidelines established by EPA for the grant.

In addition, the SAG and CMER review processes may need to be concurrent, rather than the CMER review following completion of the SAG review. It is also customary to send relatively complex study designs through the Independent Scientific Peer Review process (ISPR). However, that can take as long as eight months, including the review itself and subsequent responses and revisions by CMER. Consequently, ISPR will likely be skipped. ISPR is not required for study designs in WAC or the Board Manual, and the study design will follow closely that of a companion study in hard rock lithologies, which previously went through ISPR and was implemented in 2005. Of course, the final report at the end of the project will follow all adaptive management processes, including ISPR.

When disagreements cannot be resolved at CMER or Policy, the AMP has a dispute resolution process for attempting to achieve consensus. CMER has up to six months following formal initiation of dispute resolution to resolve a dispute. For this project to be successfully implemented next year, any disputes will need to be dealt with in a more timely manner than anticipated in the formal dispute resolution process.

A major challenge to the success of this study rests upon state and private landowners providing harvest units and applying the harvest prescriptions developed in the study design. This cooperation is not a given in the current economic climate, particularly as it applies to harvest timing of the treatment sites. In fact, this may be the biggest risk to the success of this project.

Despite the many challenges this project will have to overcome in the next few months, I believe the commitment and resolve is there to get this project off on the right track.

JEH/

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Washington State Commissioner of Public Lands

MEMORANDUM

October 15, 2010

TO: Forest Practices Board

FROM: Donelle Mahan
Forest Practices Policy and Services Section

SUBJECT: Forest Practices Board Manual Update

The Department of Natural Resources (DNR) will convene a stakeholder group beginning in November to amend Board Manual Section 3, *Guidelines for Forest Roads*. This group will develop guidance following recommendations from the Forests and Fish Policy Committee regarding extensions and procedures.

DNR convened a stakeholder group in August to develop Board Manual Section 18, *Guidelines for Riparian Open Space Program*. We are currently in the process of writing the manual.

DNR will convene a stakeholder group to amend Board Manual Section 11, *Standard Methodology for Conducting Watershed Analysis* after the prioritization and reanalysis processes have been developed.

Board manuals for *Extension of RMAP Forest Road Work Completion Date*, *Watershed Analysis Reviews*, and *Riparian Open Space* will be presented to you for approval at your May 2011 meeting.

Please feel free to call me with any questions at (360) 902-1396.

DM/

Donelle Mahan

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October 15, 2010

MEMORANDUM

TO: Forest Practices Board

FROM: Walt Obermeyer, Compliance Monitoring Program Administrator

SUBJECT: Status of Compliance Monitoring

2010 Program Work

To date 87% of the 2010 sample applications have completed reviews. All remaining work is in two regions: Pacific Cascade and South Puget Sound. Completion is expected by early November. Field review is in progress for the Haul Route sample design with additional revisions being tested. Work remains to assure actual test data will support the analysis. The expected result is to incorporate the Haul Route Protocol in 2011 sampling operations.

Clean Water Assurances

The final draft of the Dispute Resolution milestone work has been sent to stakeholders for review. Acceptance is pending those comments. Work on Riparian Noncompliance analysis is being completed concurrently with the elements of Compliance Monitoring Biennial report.

Compliance Monitoring Stakeholder Committee

The committee met on August 25th. Much of the discussion focused on the proposed haul route protocol, its objectives and analysis goals The next meeting is scheduled for November 25th and will be devoted to discussion of the 2008 -2009 Biennial report review draft.

Biennial report for 2008-2009

Results for the 2008 -2009 Biennial report will be presented later this meeting. Publication of the final report will be dependent on the extent of editing necessary following stakeholder review. At this writing all but one analysis section has been drafted and circulated internally for review. One analysis section and the summary remain to be completed.

WO/

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MEMORANDUM

October 14, 2010

TO: Forest Practices Board

FROM: Marc Engel, Assistant Division Manager, Policy and Services

SUBJECT: Rule Making Schedule

Following is an update on rule making activity.

Administrative Appeals – Staff will request your adoption of the rule proposal at your November meeting. The rule proposal implements Substitute House Bill (SHB) 2935 and Second Substitute Senate Bill (2SSB) 5883. These bills eliminate the Forest Practices Appeals Board (SHB 2935) and provides DNR the authority to issue a notice of a conversion to a nonforestry use (2SSB 5883).

Extension of RMAP Forest Road Work Completion Date – Staff filed a CR101 on August 26, 2010 to notify individuals of possible rule making and to participate in the rule development. It is anticipated that a rule proposal will be presented to you for approval to conduct the 30-day comment with Washington Department of Fish and Wildlife, counties and tribes.

Forest Biomass - Staff filed a CR101 on August 26, 2010 to notify individuals of possible rule making and to participate in the rule development. It is anticipated that a rule proposal will be presented to you for approval to conduct the 30-day comment with Washington Department of Fish and Wildlife, counties and tribes.

Notice of Forest Practices to Affected Indian Tribes – Staff and the Cultural Resources Committee continues to develop draft rule language that pertains to notice of forest practices to affected Indian tribes. It is anticipated that a rule proposal will be presented to you at your February meeting.

Riparian Open Space – The 30-day comment period for Washington Department of Fish and Wildlife, counties and tribes ended on September 13, 2010. One comment in support of the proposal was received. At the February meeting staff will present draft rule language for your consideration to begin the public review process.

Watershed Analysis Reviews - Staff filed a CR101 on August 26, 2010 to notify individuals of possible rule making and to participate in the rule development. It is anticipated that a rule proposal will be presented to you for approval to conduct the 30-day comment with Washington Department of Fish and Wildlife, counties and tribes.

If you have any questions feel free to call me at 360.902.1390.

ME:paa
Attachment

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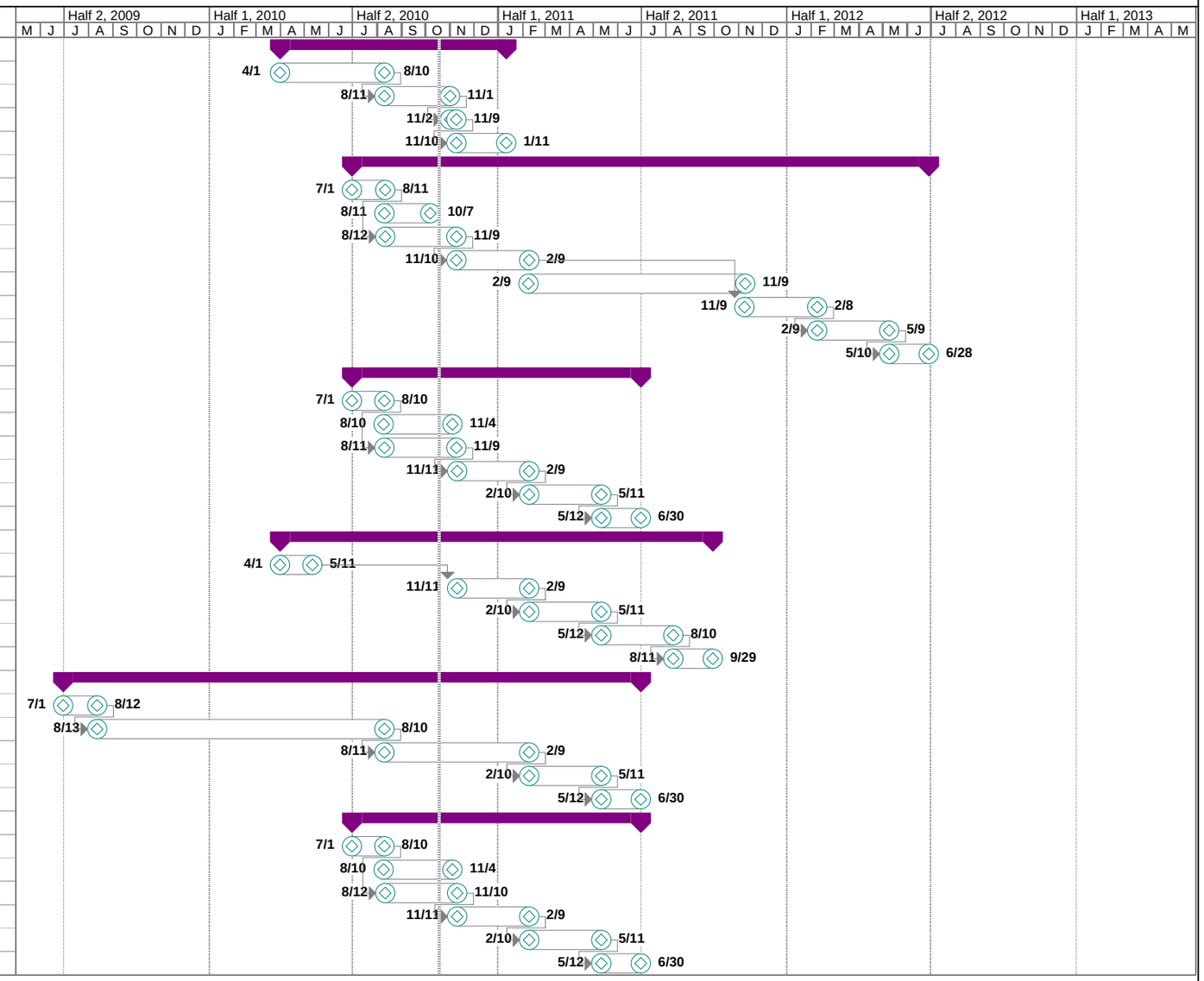
FOREST PRACTICES BOARD
2011 Rule Making Schedule

ID	Task Name		
1	**Appeals Board**		
2	30 day notice	4/1	8/10
3	CR102 (expedited - 45 day comment period)	8/11	11/1
4	CR103 - WSR 10-24/December 15, 2010	11/2	11/9
5	Estimated effective date	11/10	1/11
6	**Extension of RMAP Forest Road Work Completion Date**		
7	CR101	7/1	8/11
8	Forests & Fish Policy Review	8/11	10/7
9	30 day notice	8/12	11/9
10	SEPA Analysis	11/10	2/9
11	Solicit bids, select contractor, and prepare EIS	2/9	11/9
12	CR102 (CBA, SBEIS, SEPA-EIS)	11/9	2/8
13	CR103 (Final EIS)	2/9	5/9
14	Estimated effective date	5/10	6/28
15	**Forest Biomass**		
16	CR101	7/1	8/10
17	Forests & Fish Policy Review	8/10	11/4
18	30 day notice	8/11	11/9
19	CR102 (CBA, SBEIS, SEPA) - WSR 11-06/March 16, 2011	11/11	2/9
20	CR103 - WSR 11-12/June 15, 2011	2/10	5/11
21	Estimated effective date	5/12	6/30
22	**Notice of FP to Affected Indian Tribes**		
23	CR101	4/1	5/11
24	30 day notice	11/11	2/9
25	CR102 (CBA, SBEIS, SEPA) - WSR 11-12/July 6, 2011	2/10	5/11
26	CR103 - WSR 11-18/September 21, 2011	5/12	8/10
27	Estimated effective date	8/11	9/29
28	**Riparian Open Space**		
29	CR101	7/1	8/12
30	30 day notice	8/13	8/10
31	CR102 (CBA, SBEIS, SEPA-Exempt) - WSR 11-06/March 16, 2011	8/11	2/9
32	CR103 - WSR 11-12/June 15, 2011	2/10	5/11
33	Estimated effective date	5/12	6/30
34	**Watershed Analysis Reviews**		
35	CR101	7/1	8/10
36	Forests & Fish Policy Review	8/10	11/4
37	30 day notice	8/12	11/10
38	CR102 (CBA, SBEIS, SEPA) - WSR 11-06/March 16, 2011	11/11	2/9
39	CR103 - WSR 11-12/June 15, 2011	2/10	5/11
40	Estimated effective date	5/12	6/30



October 18, 2010

MEMORANDUM

TO: Forest Practices Board

FROM: Mary McDonald, FP Division SFLO Manager MMcD

SUBJECT: Small Forest Landowner Office and Advisory Committee

Small Forest Landowner Advisory Committee:
A Small Forest Landowner Advisory Committee (SFLAC) meeting was held on October 5th 2010with a continued focus on exploring caucus' perspectives of the language in RCW 76.13.100 regarding alternate management plans and alternate harvest restrictions on smaller harvest units with low impact on aquatic resources.

Forestry Riparian Easement Program (FREP):
The recommendations for changes to FREP that were presented to the legislature will be presented as an agenda topic at the November 9th Board meeting. FREP is a conservation easement program to compensate participating small landowners for unharvestable timber on forested lands along rivers or streams. The legislatures 2011 budget proviso provided supplemental capital budget appropriation for this fiscal year in the amount of approximately $1 million and requires DNR to prioritize funding of forest riparian easements. Ninety percent of small forest landowners with existing FREP applications responded with the required additional information, which enabled Small Forest Landowner Office (SFLO) to follow the legislature's prioritization. SFLO is hiring temporary staff and seeking approval to award personal service cruise contracts to proceed with easement acquisitions funded under the FY 2011 appropriation. FREP is continuing to receive applications.

Forest Stewardship Program
The Forest Stewardship Program provides on- site forest management technical assistance and in cooperation with WSU extension teaches forestry classes, and hosts family forest owner field days for small forest landowners. Since the August 10th meeting, the stewardship program has:

- Participated in an Oregon-Washington Interstate Forest Owners Field Day held on August 28th in Clark County and attended by 310 small forest landowners. Almost 9,000 small forest landowners have now attended these events at more than two-dozen venues across the state in the last 14 years. Next year, Field Days are tentatively planned for Klickitat County in June 2011 and Jefferson County in August 2011.
- Continued to promote cost-share funds for wildfire and bark beetle hazard reduction in Eastern Washington with funding provided by the USDA Forest Service.
- Cooperating with WSU Extension and the DNR Small Forest Landowner Office to jointly reintroduce the popular *Forest Stewardship Notes* newsletter in electronic format starting in early 2011.

Family Forest Fish Passage Program (FFFPP):
The Family Forest Fish Passage Program is a cost-share program that helps small forest landowners correct fish passage barriers by providing 75-100 percent of the cost of the correction. This year:

- The program funded replacement of 28 barriers to reconnect 61 miles of fish habitat at a cost of $2.5 million this construction season.
- The 2010 average cost of reconnecting a mile of habitat is $41,000.
- The 2011 plan is for 36 barrier corrections reconnecting 60 miles of habitat for an estimated cost of $2.9 million.

- The program has over 488 qualified small forest landowner applications in need of repair that are not funded.
- Several grants were turned in last month for FFFPP projects and inventory related work. Securing additional funding for FFFPP is not only a goal but a Legislative requirement.

Long Term Application (LTA) Program Progress Beginning 10/1/2007 – 10/11/2010

A small forest landowner has the option of submitting a long-term application that is valid for up to 15 years. A long-term forest practices application is submitted and reviewed in two steps. There is an increase of 4 approved applications from 7/15/2010.

DECISION	LTA1	LTA2	Total by Decision
Application step 1 validated	16	0	**16**
Application rejected	8	0	**8**
Review of application (w/in 45 days)	2	1	**3**
Approved application	0	45	**45**
Application closed by landowner	2	3	**5**
Total by Step	**28**	**49**	**77**

Riparian Open Space Program (ROSP)

Conservation easement program is available to small and large landowners. The program has $350,000 for conservation easement acquisitions for the 2009-2011 biennium. Applications were accepted for channel migration zone areas only for the 2009-2011 biennium. ROSP is under forest practices development to include critical habitat for threatened or endangered species. DNR received 11 applications during the application period. Of those, one application was withdrawn and two did not meet the application requirements. Eligible applications were prioritized by a Riparian Open Space Technical Selection Committee with members from DNR, Ecology, Fish and Wildlife, Office of Recreation and Conservation Office, and a specialist in channel migration zones. We are proceeding with conservation acquisition by reviewing channel migration zones delineation and seeking approval to award personal service cruise contracts.

Please contact me at 360-902-1415 or mary.mcdonald@dnr.wa.gov for any questions.

MM/