October 15, 2010

MEMORANDUM

TO: Forest Practices Board

FROM: Timber/Fish/Wildlife Cultural Resources Committee Co-Chairs

Jeffrey Thomas, Puyallup Tribe of Indians

Pete Heide, Washington Forest Protection Association

SUBJECT: Annual Report of Timber/Fish/Wildlife Cultural Resources Committee

The Timber/Fish/Wildlife Cultural Resources Committee (TFWCRC) is pleased to submit the 2010 annual report to the Forest Practices Board.

We look forward to your November 9, 2010 meeting and answering any questions you may have. In the meantime, please do not hesitate to contact us:

jeffrey.thomas@puyalluptribe.com and (253) 405-7478/cell

pheide@wfpa.org and (360) 352-1500

Enc. - Annual Report to the Forest Practices Board from the T/F/W Cultural Resources Committee November 9, 2010.

Annual Report to the Forest Practices Board
from the
Timber/Fish/Wildlife Cultural Resources Committee

November 09, 2010

The Timber/Fish/Wildlife (TFW) Cultural Resources Committee is pleased to submit the following annual report to the Forest Practices Board pursuant to WAC 222-08-160.

TFW Cultural Resources Committee members:

- Co-chairs:
  Jeffrey Thomas, Puyallup Tribe of Indians
  Peter Heide, Washington Forest Protection Association

- Active Members:
  Sherri Felix, Department of Natural Resources (DNR) Forest Practices Division
  Lee Stilson, DNR State Lands Archaeologist
  Allyson Brooks, Department of Archaeology and Historic Preservation (DAHP)
  Stephenie Kramer, DAHP
  Gretchen Kaehler, DAHP
  David Powell, Yakama Nation
  Justine James, Quinault Nation
  Dennis Lewarch, Suquamish Tribe
  dAVe Burlingame, Cowlitz Tribe
  Robert Bass, Hancock Forest Management
  Harold Brunstad, Washington Farm Forestry Association (WFFA)
  Tammie Perreault, WFFA
  Norma Green, WFFA

In the past 12 months the TFW Cultural Resources Committee's (Committee) work has included:

- Promoting the need to provide professional administrative support to the Committee; incorporating regular reports of the Committee into the quarterly staff reports of the Forest Practices Board (Board); and engaging the Board regarding recognition of the Committee – including the preparation of a draft "T/F/W Cultural Resources Committee Charter" for Board approval.

- Continuing discussions towards a consensus recommendation to revise WAC 222-20-120 Notice of forest practices to affected Indian tribes – highlighting the value of respecting tribal sovereignty, as well as tribal-landowner agreements.

- Identifying guidance documents to use for implementing the Cultural Resources Protection and Management Plan (CRPMP) - including preparing a spreadsheet that organizes the topics which might be featured within a section for the Forest Practices Board manual.

- Seeking participation and funding for an eastside Watershed Analysis Cultural Resources Module pilot project (which will serve as a trial for the Watershed Analysis Cultural Resources Module, and the DAHP predictive model).

- Promoting the need to fund a full-time position at DAHP (whose duty is maintaining the cultural resources data base that is needed for supporting DNR forest practices risk assessment tools);

- Engaging the Forests & Fish Policy Committee regarding the potential for including cultural resources within adaptive management program research;

- Continuing support for basic cultural resources education opportunities - such as DNR State Lands cultural resources training, and Washington State University (WSU) extension services outreach to small landowners and tribes.

- Participating in two annual statewide cultural resources planning sessions.

Current Work Priorities:

1. Gain Board approval of a charter for the Committee.

2. Complete work on a recommendation to revise WAC 222-20-120 Notice of forest practices to affected Indian tribes.

3. Produce CRPMP guidance documents (with the overall intent of including them within a new section of the existing Board manual).

4. Support funding for a full-time DAHP position (to maintain cultural resources data in support of the DNR forest practices risk assessment tool).

5. Seek participation for an eastside Watershed Analysis Cultural Resources Module pilot project.

6. Continue to support cultural resources education opportunities (including DNR State lands cultural resources training, and WSU extension services outreach to small landowners and tribes).

7. Obtain operating funds for professional administrative support of the Committee.

Background:

Cultural resources have been a critical element of the TFW collaboration for over 20 years. The importance of cultural resources and their link to forest practices was reaffirmed in the 1999 Forests and Fish Report and the 2005 Forest Practices Habitat Conservation Plan.

In 2003, the Committee completed the Cultural Resources Protection and Management Plan (CRPMP) as part of the cultural resources commitments in the Forests and Fish Report. The Board accepted the CRPMP and in May 2005, approved and adopted the plan's watershed analysis cultural resources module and accompanying rule changes. The rules require annual reporting on implementation of the CRPMP, which the Committee has been presenting at the Board's regular fall meetings. See WAC 222-08-160.

The CRPMP is designed to be a working document. It is a voluntary cooperative approach based on mutual respect and an appreciation of Indian and non-Indian culture and history. It builds on existing laws for the protection of archaeological and historic resources, as well as the forest practices rules that were established following the original TFW Agreement in 1987. Since 2003 the Committee has been implementing the CRPMP by promoting large landowner and tribal awareness, facilitating small landowner education programs, and encouraging local tribal-landowner relations and problem solving. The CRPMP was updated in 2008.

In addition to implementing the CRPMP, in 2007 the Committee initiated and helped secure legislation to protect sensitive cultural resources information from public disclosure, and also produced consensus-recommended rule language to clarify the Board's Class IV-special and Class III classifications regarding cultural resources. The Board adopted the Committee's recommend rule changes, known as the historic sites rule making, in 2008. These rule changes have improved understanding and therefore implementation and compliance of the Board's rules that protect cultural resources and incentivize voluntary cultural resources protection plans.

Future Challenges

For the most part, the Committee operates as volunteers and with participant's time donated by employers. In the past relatively small amounts of financial support through DNR have been targeted first to engage a facilitator for a short period to assist with completing the CRPMP and later to hire consultants for the specific tasks of developing the cultural resources module and attempts to secure grant funds to forward the Committee's outreach and education objectives. Despite limited resources, the Committee has been able to provide consensus agreement on a number of important cultural resource issues.

The TFW Cultural Resources Committee remains essential in meeting the goals of the original TFW Agreement and the Forests & Fish Report's cultural resources commitments, and in assisting with the cultural resources obligations of the Forest Practices HCP. The challenge for the Committee continues to be raising the profile of cultural resources and maintaining a voluntary cooperative approach that avoids mandates and regulation that have driven working forests to the edge of economic viability. Beyond our own challenges, we hope that the progress of our collaborative efforts can be a model for success at the larger table.