

1 **FOREST PRACTICES BOARD**
2 **MEETING MINUTES**
3 October 10 & 11, 2007
4 Ellensburg Inn
5 Ellensburg, Washington
6

7 **October 10 – Field Tour**
8

9 **Members Present:**

10 Vicki Christiansen, Designee for Doug Sutherland, Chair of the Board
11 Bridget Moran, Designee for Director, Department of Fish and Wildlife
12 Carolyn Dobbs, General Public Member
13 Dave Somers, Snohomish County Commissioner
14 Doug Stinson, General Public Member/Small Forest Landowner
15 Norm Schaaf, General Public Member
16 Tom Laurie, Designee for Director, Department of Ecology
17

18 **Absent:**

19 Ann Wick, Designee for Director, Department of Agriculture
20 Bob Kelly, General Public Member
21 Brent Bahrenburg, Designee for Director, Community Trade and Economic Development
22 Dave Hagiwara, General Public Member
23 Sherry Fox, General Public Member/Independent Logging Contractor
24

25 **Staff:**

26 Chuck Turley, Forest Practices Assistant Division Manager
27 Danielle Sayers, Board Support
28 Lenny Young, Forest Practices Division Manager
29 Neil Wise, Assistant Attorney General
30 Patricia Anderson, Rules Coordinator
31

32 **Field Tour**

33 The board, staff, and public met at the Ellensburg Inn in Ellensburg. The tour was primarily
34 located on American Forest Land Company (AFLC) lands and included discussions on landscape
35 forest health issues including impacts to Northern Spotted Owl habitat, eastside forest
36 management practices and fire, and the concerns about trees in close proximity to structures.
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1 **October 11 – Business Meeting**

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3 **Members Present:**

4 Vicki Christiansen, Designee for Doug Sutherland, Chair of the Board
5 Brent Bahrenburg, Designee for Director, Community Trade and Economic Development
6 Bridget Moran, Designee for Director, Department of Fish and Wildlife
7 Carolyn Dobbs, General Public Member
8 Dave Somers, Snohomish County Commissioner
9 Doug Stinson, General Public Member/Small Forest Landowner
10 Norm Schaaf, General Public Member
11 Tom Laurie, Designee for Director, Department of Ecology
12

13 **Absent:**

14 Ann Wick, Designee for Director, Department of Agriculture
15 Bob Kelly, General Public Member
16 Dave Hagiwara, General Public Member
17 Sherry Fox, General Public Member/Independent Logging Contractor
18

19 **Staff:**

20 Chuck Turley, Forest Practices Assistant Division Manager
21 Danielle Sayers, Board Support
22 Lenny Young, Forest Practices Division Manager
23 Neil Wise, Assistant Attorney General
24 Patricia Anderson, Rules Coordinator
25
26

27 **WELCOME AND INTRODUCTIONS**

28 Vicki Christensen called the meeting to order at 8:00 a.m. Introductions were made by the board,
29 staff, and attendees.
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31

32 **FIELD TOUR DEBRIEF**

33 Christiansen thanked Jeff Jones and American Forest Land Company for allowing the Board,
34 staff and public to visit their property.
35

36 Joe Buchanon, Department of Fish and Wildlife (DFW), Chuck Turley, Department of Natural
37 Resources, (DNR), and Gary Graves, DNR, provided a recap of the field tour.
38

39 Norm Schaaf said that forest health issues are a growing concern and the Board needs to be
40 sensitive to landowner management needs when addressing topics such as the Northern Spotted
41 Owl (NSO).
42

43 Bridget Moran asked Buchanon to explain the shifting mosaic and temporal nature of owl habitat
44 in eastern Washington forests.
45

46 Buchanon said that it is difficult to determine how long it would take to move from a landscape

1 where owl habitat is managed on a circle basis to one that is managed on a larger landscape scale
2 where owl habitat is managed in a shifting mosaic. Landscapes featuring a mosaic of owl habitat
3 are the most appropriate way to manage habitat and has better opportunities to address the risks
4 of fire and insect and disease issues.

5
6 Dave Somers felt the field tour presented and discussed the difficulty of overlaying pest
7 management, fire management, endangered species management, and land management for
8 economic purposes. He thinks a landscape approach is the best way to go.

9
10 Doug Stinson stated that a combination of forest health issues and forest practices regulations
11 may increase the loss of forest lands to development.

12
13 Carolyn Dobbs supported Stinson's comments and said that a loss of forest land would reduce
14 natural diversity, species diversity, and human diversity.

15
16 Schaaf pointed out that five of the twenty-two owl circles on AFLC lands are currently occupied
17 which points out the dilemma that the Board has discussed about the maintenance of an
18 appropriate database to protect occupied sites.

19
20 Christiansen said that these are not easy issues and that the Board needs to understand what has
21 happened on the landscape before making decisions. She said she looks forward to future
22 discussions of landscape level issues whether it is spotted owl protection or Forest and Fish rules.

23 24 **PUBLIC COMMENT**

25 Chase Davis, Upper Columbia United Tribes (UCUT), encouraged the Board to schedule a
26 Northeast region field tour in the future to see forest health issues and working forest landscapes.
27 He said that UCUT supported the reinvigoration of the adaptive management program and thinks
28 that it should be managed by a third party, not DNR.

29
30 Miguel Perez-Gibson, Conservation Caucus, encouraged the Board to carefully look at the
31 desired future condition (DFC) proposals. Rule Proposal #2 has many more unknowns including
32 thinning tables that have not been verified. He also encouraged the Board to re-engage with the
33 Upland Wildlife Work Plan. He also said that the issue with the

34
35 TFW collaboration is a lack of agreement on the high level concepts such as fish passage. He
36 strongly encouraged the Board to have a more formal check in with Forests and Fish Policy that
37 is independent of DNR having the caucuses tell the Board how well they feel Policy is
38 addressing the issues.

39 40 **OVERVIEW OF DNR'S ASSESMENT OF TIMBER, FISH AND WILDLIFE** 41 **COLLABORATION**

42 Linda Heckle and Chuck Turley, DNR, presented a summary of the comments received during
43 the review of the TFW process: Factors impacting the situation include:

- 44 • Timber, Fish, and Wildlife was agreed upon 20 years ago, since then the landscape and
45 the people have changed.
- 46 • Fractured relationships exist, including within internal caucuses.

- 1 • There is a lack of accountability including meeting deadlines.
- 2 • Several suggestions have been made to improve Forests and Fish Policy and CMER

3
4 Chuck Turley said that although those interviewed had different opinions they were all very
5 passionate about making the process work. There are some very significant issues that need to be
6 dealt with, while understanding that the business environment and the level of scientific
7 knowledge is very different as is the list of stakeholders involved.

8
9 **Board Discussion:**

10 Christiansen said the review was not to put a damper on all that has been accomplished in the last
11 20 years. There is not a common vision of where a collaborative process should lead us. She
12 asked Heckle and Turley if there were any comments on what the appropriate role of the Board
13 is. Is it a regulatory body which deals with issues presented by Policy or does the Board direct
14 Policy?

15
16 Turley responded that there are many opinions. Some think direction should come from the
17 Governor's office. Others think direction should come from the Commissioner's office and
18 others from the Board. Turley said the Board needs to be part of the collaborative process.

19
20 **NORTHERN SPOTTED OWL RULE MAKING**

21 Gretchen Robinson, DNR, requested the Boards approval to proceed with two rule making
22 activities which would maintain the state wide moratorium on decertification of the Northern
23 Spotted Owl site centers until December 31st 2008. The first involves the filing of a CR102 with
24 language that would sunset the moratorium on December 31, 2008 and would start the public
25 review and comments phase of permanent rule making. The second is to re-adopt an emergency
26 rule to extend the moratorium to February 26, 2008 while the permanent rule making process is
27 taking place.

28
29 **Board Discussion:**

30 Schaaf said he thought that in the motion passed in June included owl site center database and
31 new protocols for surveying.

32
33 Moran responded that the database was not part of the June motion but protocols were. DFW has
34 formed a work group with the federal services to review the protocols.

35
36 Christiansen said that DFW will take the lead on developing proposals or ideas for long-term owl
37 conservation and will be diligent in working towards protocols for site center decertification with
38 an aggressive timeline of December 31 2008.

39
40 DFW will provide an update on the NSO database and protocols at the February meeting.

41
42
43 **MOTION:** Vicki Christiansen moved that the Forest Practices Board accept for public
44 review the rule proposal that changes the definition of "Northern Spotted
45 Owl site center" in WAC 222-16-010 to extend the moratorium on
46 decertifying Northern spotted owl site center to December 31, 2008. She

1 further moved that staff file the CR-102 with the Office of the Code
2 Reviser to begin the permanent rule making process.

3
4 **SECONDED:** Bridget Moran

5
6 **ACTION:** Motion passed unanimously.

7
8 **MOTION:** Tom Laurie moved that the Forest Practices Board direct staff to file a
9 CR-103 Rule Making Order with the Office of the Code Reviser by
10 October 29, 2007, to change the definition of “Northern Spotted Owl site
11 center” in WAC 222-16-010 to extend the moratorium on decertifying
12 Northern Spotted Owl site center.

13
14 **Northern Spotted Owl site center” means:**

- 15 (1) Until ~~June 30, 2007~~ February 28, 2008, the location of Northern
16 spotted owls:
17 (a) Recorded by the department of fish and wildlife as status 1,2,
18 or 3 as of November 1, 2005, or
19 (b) Newly discovered and recorded by the department of fish and
20 wildlife as status 1, 2 or 3 after November 1, 2005.
21 (2) After ~~June 30, 2007~~ February 28, 2008, the location of status 1, 2
22 or 3 Northern spotted owls based on the following definitions:
23 Status 1: Pair or reproductive – a male and female heard and/or
24 observed in close proximity to each other on the same visit, a
25 female detected on a nest, or one or both adults observed with
26 young.
27 Status 2: Two birds, pair status unknown – the presence or
28 response of two birds of opposite sex where pair status cannot be
29 determined and where at least one member meets the resident
30 territorial single requirements.
31 Status 3: Resident territorial single – the presence or response of a
32 single owl within the same general area on three or more occasions
33 within a breeding season with no response by an owl of the
34 opposite sex after a complete survey; or three or more responses
35 over several years (i.e., two responses in year one and one response
36 in year two, for the same general area).

37 In determining the existence, location, and status of Northern Spotted Owl
38 site centers, the Department shall consult with the Department of Fish and
39 Wildlife and use only those sites documented in substantial compliance
40 with guidelines or protocols and quality control methods established by
41 and available from the Department of Fish and Wildlife.

42
43 *The Board found that this immediate rule change is necessary for the
44 preservation of the public general welfare because:*

- 45 1. *the amount of suitable habitat within Spotted Owl Special Emphasis
46 Areas, outside areas that are being managed under the aegis of a*

1 *habitat conservation plan or similar agreement, has declined by an*
2 *average of 16 percent since this rule was adopted*

- 3 2. *habitats recently occupied by spotted owls are potentially important*
4 *to spotted owl recovery and should be maintained until a draft*
5 *recovery plan has been completed and the Board has had the*
6 *opportunity to consider ramifications of decertifying additional sites*
7 *in light of recovery strategies and goals,*
8 3. *fewer plans to conserve spotted owl habitat at a landscape level have*
9 *been developed than was anticipated when this rule was adopted,*
10 *and*
11 4. *With few landscape-level plans, the forest practices rules continue to*
12 *rely heavily upon the regulation of timber harvest at individual*
13 *spotted owl sites to provide habitat conservation.*

14
15 **SECONDED:** Carolyn Dobbs

16
17 **ACTION:** Motion passed unanimously.

18
19 **DFC RULE PROPOSAL COMPARISON**

20 Chuck Turley and Gary Graves, DNR provided a presentation that described the differences
21 between the two rule proposals.

22
23 In Rule Proposal #1 all current rule requirements allowing inner zone harvest remains the same.
24 However the target for all site classes has been changed to 325 square feet per acre at stand age
25 140 years.

26
27 In Rule Proposal #2 the basal area target is set for all site classes as 325 square feet per acre at
28 stand age 140. New requirements are established to determine eligibility to harvest in the inner
29 zone under harvest options 1 and 2.

30
31 **UPLAND WILDLIFE WORK PLANNING**

32 Bridget Moran reviewed the Board approved work plan. The work plan addresses four elements.
33 Element 1 - assessment of current rules intended to protect wildlife and includes the spotted owl,
34 marbled murrelet, and western gray squirrel. Element 2 - landscape level wildlife assessment, a
35 modeling analysis, of current and future forest conditions and the impacts of those management
36 decisions on different guilds of species.

37 Element 3 - implementation of incentives to support wildlife habitat.

38 Element 4 - adaptive management analysis of the data to make new decisions.

39
40 The wildlife work group has reconvened to look at how effective this work plan is. Moran
41 intends to present the work plan again to provide the opportunity for the Board to re-evaluate and
42 reprioritize the work plan.

43
44 Schaaf said the Board would much rather deal with rule making in a collaborative process and
45 this work plan will help.

46 Dave Whipple and Joe Buchanon, DFW, provided an update on Element 2 – Landscape Level

1 Assessment.

2

3 **2008 WORK PLANNING**

4 Lenny Young, DNR, provided an overview of Forests and Fish Policy's (Policy) priorities that
5 will be addressed in the next few months.

6

7 The Board requested Policy to do a self evaluation on how to reinvigorate the collaborative
8 process and present the results to the Board at the February meeting. The Board also requested
9 that Policy develop a work plan and provide a recommendation on the Small Forest Landowner
10 Advisory Committee's request to create an economic advisory group.

11

12 Chuck Turley, DNR provided an update on the 2007 Work Plan and presented a draft 2008 Work
13 Plan. He also presented potential dates for the Board's 2008 retreat. Possible dates are
14 September 18th and 19th or 24th and 25th.

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16 The meeting adjourned at 1:00 p.m.