July 22, 2013

MEMORANDUM

To: Forest Practices Board

From: Timber/Fish/Wildlife Cultural Resources Roundtable Co-Chairs

Jeffrey Thomas, Puyallup Tribe of Indians

Karen Terwilleger, Washington Forest Protection Association

SUBJECT: FY 2013 Annual Report of Timber/Fish/Wildlife Cultural Resources Roundtable

The Timber/Fish/Wildlife Cultural Resources Roundtable (Roundtable) is pleased to submit the FY2013 annual report to the Forest Practices Board.

We look forward to your August 13, 2013 meeting and answering any questions you may have. In the meantime, please do not hesitate to contact us:

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

Enc. – Annual Report to the Forest Practices Board from the T/F/W Cultural Resources Roundtable (August 13, 2013)

FY2013 Annual Report to the Forest Practices Board

from the

Timber/Fish/Wildlife Cultural Resources Roundtable

August 13, 2013

The Timber/Fish/Wildlife (T/F/W) Cultural Resources Roundtable is pleased to submit the FY2013 Annual Report to the Forest Practices Board pursuant to WAC-222-08-160.

T/F/W Cultural Resources Roundtable Members

Co-chairs:

Jeffrey Thomas, Puyallup Tribe of Indians
Karen Terwilleger, Washington Forest Protection Association

Active Members:

Sherri Felix, Department of Natural Resources (DNR) Forest Practices Division
Lee Stilson, DNR State Lands Archaeologist
Gretchen Kaehler, DAHP
David Powell, Yakama Nation
dAVe Burlingame, Cowlitz Tribe
Robert Bass, Hancock Forest Management
Jesse Narog, Hancock Forest Management

FY2013 Work Activities

The key topics worked upon by the T/F/W Cultural Resources Roundtable (Roundtable) during FY2013 involved upgrades to the FPA Question #7 instructions, historic maps and information users guidance, WA 222-20-120 (Notice of forest practices to affected Indian tribes) and CRPMP (Cultural Resources Protection and Management Plan) use and effectiveness surveys, completing CRPMP guidance documents, and Roundtable outreach and education (including Forest Practices Board reports).

Upgrades to FPA Question #7 instructions are important to ensure that applicants are fully aware of the procedural expectations as well as on-site features that are critical to consider when evaluating their units for cultural concerns, historic maps and information guidance fosters greater detection of significant sites, WA 222-20-120 and CRPMP use and effectiveness surveys are important for evaluating the sufficiency of WAC requirements and assessing how well the rules and voluntary processes and/or fulfilling the purposes of the CRPMP are progressing, CRPMP guidance documents recommend approaches to use when detecting or protecting forest cultural resources, and Roundtable outreach and education provides a framework through which multi-stakeholder cultural resources information can be coordinated.

FPA Question #7 Instructions Upgrade – Needed upgrades to the instructions for answering Forest Practices Application (FPA) Question #7 involving cultural resources were drafted by the Roundtable for submission to the WDNR forest practices division. The present version of the instructions does not offer any information regarding historic sites, does not refer to any pertinent RCW, WAC or other document citations, and/or does not indicate whether high probability geographic features should be noted upon FPA maps. The recommended upgrades will also apply to Question #10 of the "Long-Term" FPA.

Historic Maps & Information Users Guidance – To improve knowledge, understanding, and use of the GLO, historic and current USGS quad maps and other publicly available information as tools to identify cultural resources, DNR Archaeologist and Roundtable member Lee Stilson prepared a document entitled *Working with Historic Maps to Identify Cultural Resources in Washington State* (that discusses the use of these sources and provides links to web pages which contain historic maps and other sources).

WAC 222-20-120 & Cultural Resources Protection and Management Plan Use and Effectiveness Survey Project - The Roundtable prepared and implemented a survey to assess how well WAC 222-20-120 *Notice of forest practices that may contain cultural resources to affected Indian tribes* and/or the techniques of the Forest Practices Board's Cultural Resources Protection and Management Plan (CRPMP) are working. WAC 222-20-120 was amended in 2012 at which time the Board requested annual reports on the effectiveness of their amended rule. The CRPMP was developed almost ten years ago as a voluntary, cooperative method of supplementing state forest practices rules and complying with statewide archeology and historic preservation laws as they apply to Washington's state and private forest lands. Reporting on the CRPMP is part of the Board's rule WAC 222-08-160 Continuing review of forest practice rules.

This is the second year the Roundtable has used this method of assessment for the CRPMP. With information gathered from last year's survey, the Roundtable implemented changes in the survey questions, length, and scope of distribution. This year's survey was distributed to the Northwest Indian Fisheries Commission, DNR Forest Practices staff including division operations staff, region staff, and the regions' T/F/W cooperators lists, DNR Small Forest Landowner Advisory Committee, Washington Farm Forestry Association, Washington Forest Protection Association, DNR state uplands staff, and the TFW Policy Committee.

The survey was open for response for a period of approximately eight weeks. The response rate was double to that of last year's survey and provided valuable information about the effectiveness of WAC 222-20-120 and the CRPMP, as well as where improvements can be made. This information offers exciting insights including identifying areas that are not working as well. This allows the Roundtable to focus on these areas in the coming year.

<u>Who responded?</u>

- 134 Respondents, 106 completed the survey. This is a 69% increase in respondents over last year's survey in which there were only 47 respondents.
- 33 % were owner, managers or resource specialists from private industrial forest ownership.

- 16% were small forest landowners or consultants working for small forest landowners
- 11% were tribal affiliates and staff
- 28% were state agency program managers, field staff and/or state agency archaeologists
- 12% presence of responders lists themselves as "other."
- Highest response rates were from DNR's Olympic and Pacific Cascade regions at 58 % and 27 % respectively.
- The lowest response rate was from Southeast region at 14%. This is likely due to Southeast Region typically having fewer FPAs submitted.
- Over half of the respondents (58%) **occasionally** encountered cultural resources in their work.
- 28% **often** encountered cultural resources in their work.
- Only 5.3% **never** encountered cultural resources in their work.
- Over half of the respondents (approximately 63%) employ or contract with a professional archaeologist.

How well is WAC 222-20-120 *Notice of forest practices that may contain cultural resources to affected Indian tribes* working?

The major 2012 amendment to this rule was adding options for complying with the rule's landowner-tribe meeting requirement. Therefore, the Roundtable concentrated on how these new options were being used. According to the survey, the five options were used as follows, in order of most to least utilized:

- 1. Meeting took place and plan was agreed to
- 2. Tribe confirmed no cultural resources concern with application
- 3. Meeting did not take place, required documentation of attempts to meet with Tribes sent to DNR
- 4. Meeting took place but no plan was agreed to
- 5. Other documentation was accepted by DNR

Success of Collaborations as envisioned by the CRPMP

- About 44% of all respondents had participated in a meeting with tribes and landowners and/or managers.
- Approximately 70% percent of the time plans were agreed to for protection of cultural resources
- Approximately 60% of respondents felt that when plans were agreed to that cultural resources were well protected while landowner/manager objectives were met. 40% of respondents felt that cultural resources were well protected but that landowner objectives were compromised. This survey question had a 100% response which would appear to indicate that the process is working well to protect cultural resources.
- During landowner tribal meetings and communication, **17%** of respondents indicated that communication were **always** cooperative and respectful, while **50%** felt they were **usually** cooperative and respectful. **18 %** felt that communications were **sometimes** respectful and only **2%** felt they **seldom** cooperative and respectful.
- Regarding sharing knowledge of tribally known cultural resources between landowners and tribes, **41%** of respondents felt that the information was **always** kept confidential, **18%** felt that confidentiality was **usually** respected. Only **5%** felt that confidentiality was **sometimes** respected and **36%** had no basis for comment.

Summary of the 2013 T/F/W Roundtable Survey - Similar to last year's survey, the overall trend was positive. The higher percentage of respondents (70%) have participated in tribal/landowner meetings which resulted on an agreed upon plan for the protection of cultural resources. Sixty percent of respondents indicated that meeting resulted in cultural resources being well-protected with landowner/manager expectations being met. This year's survey also focused on how amended WAC 222-20120 is working. Results of the survey indicated that the most utilized option to comply with the rule's landowner-tribe meeting requirement is a landowner-tribe meeting with agreement on a protection plan, followed by the Tribe(s) confirming with DNR that they had no cultural resources concerns with the application. Of note is that the third most utilized option is the landowner confirming with DNR their "good faith" but unsuccessful attempts to meet with the Tribe(s) which requires rule prescribed documentation to DNR.

Last year, the Roundtable felt that some of the limitations of the survey were in the length of the survey (30 questions), the method of distribution, and that the questions may not have been defined enough to capture the information and the audience that that would have provided the most relevant data. For example, no small forest landowners responded and only 14 tribal members or affiliates were represented. Based on the results of the first survey, the Roundtable curtailed the length of the survey to 15 questions, and added more focused questions designed for specific groups such as small forest landowners, Tribes, and non-management forestry staff. This resulted in more informational responses which will enable the Roundtable to address real as well as perceived issues and develop action items to be worked on throughout the next year. Also this year's respondents included 11 small forest land owners and 22 tribal members and affiliates, which appears to indicate that the changes in the survey resulted in the target audiences being reached. It also showed that these targeted audiences were responding in an interactive and informative manner.

CRPMP Guidance Documents – The preparation of the CRPMP guidance documents which the Roundtable initiated in FY2011 was furthered during FY2013, the results being the completion and posting of five documents upon TFW/FFR websites, the remaining documents being close to completion, and the identification of three new enhancements to add to the CRPMP guidance documents package.

Completed documents are:

- Types of sites commonly found in the forest (video).
- Completing a successful site protection plan.
- Completing SEPA checklist question #13 (cultural resources).
- What to do if you find human remains.
- Historic maps & information users guidance.

Close to completion documents are:

- What is a cultural resource?
- General information about cultural resources and your forest practices.
- Landowner-Tribal meetings under WAC 222-20-120.
- Tribal contacts list.
- Landowner contacts list.

Enhancements being added to the guidance documents package are:

- Opening introductory statement.
- Regulatory compliance responsibilities.
- FPA cultural resources screening flowchart.
- Guidance document acronyms.
- Guidance document construction needs.

Roundtable Outreach & Education (incl. Forest Practices Board Reports) – In addition to our major accomplishments, the Roundtable supported the Department of Archaeology and Historic Preservation (DAHP) and the Department of Natural Resources (DNR) by helping to inform legislators on the issues posed by legislation introduced in the 2013 session. The Roundtable also provided valuable insight on a number of forest practices issues that were highlighted via participating Roundtable members. This Roundtable work on legislative initiatives and forest practices issues not only helps the agencies to perform their functions, but it broadens the Roundtable participant's experience and understanding of cultural resource issues associated with forestry practices.

One of the most important purposes of the CRPMP is to ensure that cultural resource protection is accomplished through cooperative processes. Education and training are key to imparting the knowledge and understanding that is needed to support cooperation in cultural resource protection.

- *"Cultural Resources on Forest Lands" Educational Video Posted* - The first step in protecting significant cultural resources is identifying those resources. To assist personnel in identifying cultural resources, a videotape of the Cultural Resources on Forest Lands workshop (presented by Lee Stilson to Quinault Natural Resource employees on 25 April 2012) was posted on the WDNR Forest Practices Division cultural resources web page in FY2013. The Washington Forest and Protection Association (WFPA) funded the production of this videotape which can be viewed at http://www.dnr.wa.gov/BusinessPermits/Topics/OtherInteragencyInformation/Pages/bc_tfw_agendas_minutes.aspx, and at http://www.ruraltech.org/video/2012/wfpa/.

- *Small Forest Landowners (SFLO) Cultural Resources Education* – The Washington State University Cooperative Extension (Jim Freed) was provided with funding by the Roundtable to initiate a small forest landowners cultural resources program, and some funding still remains in this account. The extension is working with the WDNR Small Forest landowners Office (and their mailing list) to encourage landowners to conduct sustainable harvests. There are about 200,000 families within the state whom own 5 or more acres of forest, and the Washington Farm Forestry Association has a membership of 700-1000 members – and there are approximately 12,000 people harvesting special forest products within the forests overall. The extension is working with some tribal communities to restore native plants, and otherwise attempts to work with local tribes so that tribal members may explain why these resources are important to them. The extension conducted five major workshops during 2012 which reached 2200 people.

The Roundtable also prepared and provided quarterly reports to the Board (in the form of the Roundtables monthly/quarterly action items list), and prepared and provided the FY2013 annual report as expected. The Roundtable co-chairs presented their quarterly report briefings at each quarterly meeting of the Board, as needed.

Anticipated Activities for FY 2014

Looking to next year, the Roundtable expects to continue work on guidance to forest landowners, agencies and tribes for implementing regulatory and voluntary protection of cultural resources. Our plan is to prioritize education including producing a presentation that can be featured at DNR sponsored T/F/W regional meetings and which Roundtable members can use when visiting regions to carry the cultural resources message to the field.

We can always use help converting the text-based guidance documents into internet friendly media which will use the distribution and search capability of the web to provide forest managers with the cultural resources information that they need. We successfully expanded our Cultural Resources Roundtable presence upon the Board and DNR web pages during FY2013, and still intend to do this via other TFW/FFR web pages as well. Our goals include extending the audience for cultural resource information to the younger generation of forestry professionals, forest landowner and forest workers by offering messages that appeal to younger social media users. The primary goal is to instill an innate appreciation for tribal culture and all cultural resources throughout the forest industry and family forest landowners, so that cultural resource protection and management is fully integrated into forest management plans and activities.

Thanks to the dedication of each of the active members, and where applicable, their employers, the Roundtable continues to make progress. The lack of funding for Roundtable staff support however, is still a major limitation upon the rate of progress of Roundtable work.

The T/F/W Cultural Resources Roundtable happily joins all T/F/W stakeholders in taking pride in these as well expected future TFW/FFR-related accomplishments.

We sincerely thank you for your interest and attention.

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