WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Washington State Commissioner of Public Lands

MEMORANDUM

July 20, 2012

TO: Forest Practices Board

FROM: Jim Hotvedt, Adaptive Management Program Administrator

SUBJECT: December 2007 storm mass wasting landslide study

Many of you probably saw a June 24, 2012, article published by the Seattle Times titled "Landslide study bogged down by scientific dispute". The article was referencing a final report associated with a CMER study. The Seattle Times journalist attended the June 2012 Policy meeting that included an agenda item titled "The Mass Wasting Effectiveness Monitoring Project Report – Next Steps". The agenda item was in response to CMER non-consensus on approving a final report titled "The Mass Wasting Effectiveness Monitoring Project: An examination of the landslide response to the December 2007 storm in Southwestern Washington". The study is commonly referred to as the "post-mortem" study.

As a reminder, the Forests & Fish Report included recommendations for reducing landslide sediment delivery (which were adopted into the Washington Forest Practices Rules in 2001) to improve protections for fish habitat and water quality on non-federal forest lands in Washington State. The current rule strategy for reducing management-triggered landslide impacts is to require a State Environmental Policy Act (SEPA) review of proposed road or harvest activities on certain regulated unstable slopes, termed Rule-Identified Landforms (RIL) that can deliver sediment to public resources or threaten public safety. If the SEPA review determines that a proposed activity is likely to have an adverse impact to a public resource, the Forest Practices Rules require an environmental impact statement. Because this level of SEPA review is costly and time-consuming, the most common approach is to avoid any logging or road construction within landslide-prone terrain. The strategy for existing substandard roads is to upgrade them to current forest practices standards.

In 2008, CMER initiated a study to examine landslide response to the December 2007 storm in Southwestern Washington. The primary objective of the project was to evaluate the effectiveness of current forest practices rules at reducing landslide density and sediment delivery to public resources resulting from a major storm event. A secondary objective was to field identify site-scale management-related contributing factors that might be used to improve unstable slope identification and mitigation efforts. The study design associated with the project was reviewed and approved by CMER in 2006, and underwent Independent Scientific Peer Review (ISPR) in 2007. In the wake of the December 2007 storm, which caused significant flooding and landslide activity in and around the Chehalis River basin, the Forest Practices Board authorized initiation of the project.

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Forest practices rule effectiveness was evaluated in the study through a statistical comparison of landslide response among sets of harvest and road 'treatments' identified at the scale of harvest units and road segments. The harvest treatments include RIL, riparian and other forest buffers as well as the harvested areas. The number of landslides and their volumes for the landslides that delivered to public resources in each treatment, per unit area, served as response variables in a statistical comparison among treatments. Observed differences among treatments were considered the primary indicator of forest practices rule effectiveness.

Harvest treatments were No Buffer, Partial Buffer, Full Buffer, Submature, and Mature stands or units. Road treatments were Substandard, Orphaned, Standard, Abandoned, and Mitigated roads.

The report associated with the post-mortem project has gone through multiple drafts, including revisions in response to ISPR reviewer comments. Despite the many rewrites, some CMER members continue to have concerns with the report and have not agreed to approve the most recent version as a final report. Because CMER does not have consensus, and because some members do not believe further efforts at reconciling differences would be productive, the CMER co-chairs chose to forward the most recent version to Policy as a non-consensus final report.

As of the June 2012 Policy meeting, Policy is in formal dispute resolution and is currently in the process of determining how to proceed in resolving remaining report issues. After considerable debate and negotiations, Policy approved a process for coming to resolution at its July 2012 meeting that relied on the expertise of one of the ISPR reviewers. However, that person is not available. Policy will again be discussing alternative pathways forward at its August 2012 meeting.

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Commissioner of Public Lands

July 31, 2012

MEMORANDUM

TO: Forest Practices Board

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

SUBJECT: Forest Practices Board Manual

Forest Practices staff is planning to initiate development of the Forest Practices Hydraulic Project section of the Board Manual in September. This Board Manual section is required by 2ESSB 6406 and will be completed in calendar year 2013.

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

ME/

July 24, 2012

MEMORANDUM

TO: Forest Practices Board

FROM: Walt Obermeyer, Compliance Monitoring Program Administrator

SUBJECT: Status of Compliance Monitoring

2012 Field Sampling

The 2012 field season is well under way with sampling 62% complete for the standard sample. The expected finish for the standard sample is late fall. Additionally an emphasis sample will be implemented to re-examine the riparian prescriptions occurring on exempt 20 acre parcels Weather and snow delays of the early season were somewhat mitigated by extending the field season through July. Field Sampling will resume after Labor Day to avoid scheduling problems with vacations and fire dispatch.

Clean Water Assurances Milestone

The program provided a final revision of the Clean Water Assurances Milestone for Riparian Non-compliance to Department of Ecology for their approval. The scope was to assess primary issues with riparian noncompliance and formulate a program to achieve a compliance rate greater than ninety percent compliance by 2013.

WO/

WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

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your natural resources
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July 23, 2012

TO: Chair Young and members of the Forest Practices Board

FROM: Andrew Hayes and Lauren Burnes, DNR on behalf of the Northern Spotted Owl Implementation Team

SUBJECT: Update on Activities of the Northern Spotted Owl Implementation Team (NSOIT)

Since our last update to the Board, the NSOIT has met twice and has an additional meeting scheduled in mid August. In addition, the NSOIT has (1) provided guidance and oversight to the NSOIT Technical Team in their development of scenarios, and (2) initiated the Entiat pilot project.

Since the Technical Team was formed last December, they have been meeting regularly and working with the NSOIT to scope their analysis. Results from the Technical Team process will inform several NSOIT work plan components (e.g., endorsing a voluntary incentives program for landowners to achieve conservation goals); therefore, guiding the Technical Team is a priority of the NSOIT.

On June 4th, the Technical Team met to discuss possible the use of federal models to establish NSO habitat baselines and possible future scenarios that the NSOIT might like to analyze. Later that day, the NSOIT met to discuss the Technical Team and Entiat Pilot Project work plan components. Subsequently, on June 20th, the NSOIT and Technical Team met jointly to approve three possible baseline habitat scenarios proposed by the Technical Team, and to discuss the makeup of possible habitat scenarios on non-federal lands. In this beginning phase of the Technical Team process, the developing, testing, and comparing of alternative habitat baselines is necessary to establish a benchmark by which to compare future habitat scenarios. These scenarios will allow the NSOIT to examine which landscapes will provide the greatest NSO habitat conservation benefit for investments made in voluntary landowner efforts. The next step will be to scope a proposed analysis with the assistance of the USFWS critical habitat modeling team. This work is dependent on the availability of USFWS staff, as we will be competing with their time at the same time they are working to complete the final critical habitat rule.

Last month, the NSOIT was able to secure technical support from Brian Woodbridge and his team at USFWS on the use of the federal critical habitat modeling tools. This will be essential in informing the Technical Team on the federal modeling tool's ability to aid in answering key analytical questions formed by the NSOIT. The NSOIT looks forward to continued partnership in these efforts.

Finally, we have convened our Entiat pilot project team to help implement the pilot rule passed by the Board in February 2010. The project team includes members from: USFWS, WDFW, Longview Timber, the Nature Conservancy, and DNR. The pilot team has met once in June and has a field tour scheduled for later in the summer. During their initial meeting, the pilot team reviewed stand data provided by Longview Timber and began discussing logistics. After that, the team will meet to develop prescriptions for thinning and conduct additional analysis, as necessary.

We will be available during the August Board meeting should you have any questions.

NORTHERN SPOTTED OWL IMPLEMENTATION TEAM
WORK PLAN

On February 10, 2010 the Forest Practices Board (Board) accepted the consensus recommendations of the Northern Spotted Owl Policy Working Group, and directed DNR to form an Implementation Team (NSOIT) of five members: DNR, WDFW, industry, conservation caucus, and a land trust group.

The Board also directed the NSOIT to develop a work plan, including prioritization, and directed the team to coordinate with the federal agencies with regard to the Barred Owl control experiments.

In addition, the Board directed the NSOIT to formally convene a technical team to assess spatial and temporal allocation of conservation efforts on nonfederal lands using best available science.

While the Board has been provided regular status updates of the NSOIT's work items, the following represents the group's formal prioritized work plan, and is intended to provide information relative to the status and next steps of each recommendation. Information in the work plan will be modified as progress is made on existing tasks, when new tasks are identified, etc.

Item	Status	Next Steps
Endorse a Voluntary Incentives Program For Landowners to Achieve Conservation Goals	Bettina Von Hagan (EcoTrust) & Cindy Mitchell (WFPA) interviewed an expert in the field of forest incentives (Becca Madsen, Biodiversity Program Manager at Ecosystem Marketplace, Washington, D.C.) and have provided background material to the NSOIT on various ecosystem service markets around the world. They also included links to suggested reading as well as contacts for the various markets. House Bill 2541 was passed in 2010, and will dovetail with efforts of the NSOIT. DNR is required to develop landowner conservation proposals, including both markets and conservation easements, which support forest landowners by December 31, 2011. In the development of the proposals, the DNR must consult with the Board, Indian tribes, small forest landowners, conservation groups, industrial foresters, and state, federal, and local government. The proposed initiatives, if any, must be presented to the Governor, the Legislature, the Commissioner of Public Lands, and the Board. The DNR must also offer to present its findings to the Washington congressional delegation, local governments, and appropriate agencies of the federal government. Paula Swedeen attended the World Resources Institute/American Forest Foundation Conference in Madison, WI at the end of June and led a discussion session on incentives for owl conservation. Participants gave the following recommendations: 1) Develop a state-level "Conservation Stamp" program similar to the federal Duck Stamp program that is used for wetlands conservation. Commission artists to design stamps, sell them with hunting licenses and at recreational good stores, legislatively protect the proceeds so they are used for buying easements on owl habitat/restoration areas; 2) Raise funds from development impact fees; 3)Take advantage of overlap of funds from other ecosystem service priorities such as source drinking water protection areas	1. Have a discussion on which market(s) and/or framework would work best for NSO habitat in WA 2. Develop a list of questions relative to NSO habitat markets possibilities for future conference calls w/ experts. 3. Pending NSOIT follow-up: recommend to FPB inclusion of NSO habitat outside of SOSEAs for RHOSP. 4. The NSOIT Technical Team process includes developing incentive-based recommendations to best achieve desired conservation outcomes from biological recommendations; their work will help inform the NSOIT of voluntary incentives programs for landowners to achieve conservation goals.

	and watersheds important for salmon; 4) prioritize funds in next Farm Bill (all acknowledged challenges in current federal budget climate). Mark Nechodem, Special Assistant to Secretary Vilsack agreed that targeting funds from the Farm Bill like the Healthy Forest Reserve Program, was a good idea, and he would help us advocate for it. The Encumbered State Forest Land Transfer program, enabled in 2009, provides the necessary tools for the state to maintain long-term working forests and trust revenue to small rural counties. It does so by acquiring productive working forest lands to replace State Forest lands encumbered by harvest restrictions due to Endangered Species Act-listed species, thereby maintaining the corpus of the State Forest trusts. Encumbered habitat lands have to meet two requirements. They have to (a) be located in counties with a population less than 25,000, and (b) be encumbered with timber harvest deferrals that are associated with federal ESA-listed wildlife species and greater than 30 years in length. Lastly, when transferred, lands that meet these criteria must be appraised at fair market value without consideration of management or regulatory encumbrances associated with the listed species' habitat. Once transferred using the Trust Land Transfer program, lands are placed in Natural Resources Conservation Areas. DNR submitted a report to the Legislature in October 2010 detailing implementation of the program, including an estimate of its overall cost. DNR then submitted to the 2011 Legislature a FY 11-13 funding proposal of $2 million to begin implementation of the program. The proposal, funded in the capital budget, will allow DNR to transfer three small encumbered properties, one each in Pacific, Wahkiakum and Skamania counties. While the timber value will go to the beneficiaries of the trusts, the land value identified in the appraisal will go to a revolving fund to be used for the purchase of new unencumbered forested trust lands to be managed for the long term benefit of those beneficiaries.	
Support an Action Program: Outreach to Owners Of Specific	The NSOIT has disused this item, which is intended to conduct outreach to specific landowners who may wish to secure important	Work on this will be enhanced after the team convenes and obtains results from

Lands Inside And Outside Of SOSEAs	NSO habitat that is currently not protected.	the Board-mandated Technical Team, which will assess the spatial and temporal strategic allocation of conservation efforts on nonfederal lands. See the last item on this work plan. Develop communication strategy, including possible outreach materials for distribution once mechanisms are in place. Cindy (WFPA) has expressed interest in assisting the NSOIT with the outreach program once this component is ready to be addressed.
Promote Barred Owl Control Experiments and Research	The U.S. Fish and Wildlife Service is the lead agency on Barred Owl control experiments, and the NSOIT is coordinating with the Service on the progress of these experiments, through the Barred Owl Working Group operating within the context of the Northern Spotted Owl Recovery Planning process.	Update as of October 2011 from the Barred Owl working group is enclosed below. *
Continue the Current Decertification Process for owls Sites During a Transition Period	This item has been accomplished. The Forest Practices Board adopted a permanent rule in May 2010 which establishes a three-member, multi-stakeholder Spotted Owl Conservation Advisory Group that makes a determination on whether owl site centers and surrounding habitat is important to the Northern Spotted Owl while the Forest Practices Board determines a long-term strategy for spotted owl habitat conservation. The Advisory Group makes their determination after the Department of Fish and Wildlife determines that surveys for Northern Spotted Owls have met survey protocols that indicate the absence of spotted owls.	Membership was updated last May. Members are Bridget Moran, Marty Vaughn and Kara Whittaker. To date, the Conservation Advisory Group has not been convened.
Initiate Two Washington Pilot Projects for Thinning and Habitat	1. A FPB Pilot Rule was adopted to allow one pilot project with Longview Timber in the Entiat SOSEA. The project would explore whether thinning in highly stocked suitable owl habitat will improve habitat quality and is operationally and	**Eastside Pilot:** This pilot is currently underway. Project team members have been identified to staff the Entiat pilot. The pilot team held an initial meeting on June 25th to go over stand data

	economically feasible. Efforts to secure funding to conduct the thinning project have not been successful. 2. A Section 6 grant application was submitted to thin and defer Westside forest with the goal of accelerating NSO habitat development. This application was not funded.	produced by Longview Timber and began discussing logistics. Members will take a field tour to the pilot location in late August. It is anticipated that an additional meeting will be held subsequent to the field tour in order to begin scoping a process for developing prescriptions for thinning overstocked suitable spotted owl habitat. Initial planning up front will assist Andy and Lauren in developing grant proposals for funding to support the planning and implementation phases of the pilot. **Westside Pilot:** Non-profits (Pacific Forest Trust and Seattle Audubon) are working to advance owl-related Section 6 projects with landowners for the 2012 funding cycle.
Support Identification and Design of a Flagship Incentive Project	The concept is to test incentives options on a landscape scale, possibly w/ multiple landowners, in order to achieve significant conservation value and competitive, economically sustainable forest management.	Investigate and possibly find areas of opportunity to learn from or collaborate with other efforts, i.e., Tapash Collaborative, Oregon Safe Harbor Agreement, etc. Further efforts are contingent on information obtained from incentive pilots, funding, etc. A pilot under the auspices of ESHB 2541 in the Nisqually River Basin is in early planning stages. Landowners and other participants in the pilot are interested in having a component focusing on owls, in addition to murrelets, water, and possibly carbon.
Approve Measures of Success	"Measures of Success" were recommended to the FPB, which	Re-assess previously proposed

	accepted the final report of the Northern Spotted Owl Policy Working Group.	"Measures of Success," determine if they provide the proper metrics. Consider updating and reporting FPB.
Convene a Technical Team to Assess Spatial and Temporal Allocation of Conservation Efforts on Nonfederal Lands Using Best Available Science	This is the current focus of the NSOIT. The technical team component of our work plan has commenced now that the Final Northern Spotted Owl Recovery Plan and draft Critical Habitat rule has been released, which contains critical modeling tools intended to assess the importance of different scenarios of blocks of land to be managed for the Northern Spotted Owl. During the NSOIT meeting last August, Brian Woodbridge gave a presentation on how modeling information can be useful for WA State. Last March, Ken Berg (USFWS) presented information on the draft NSO Critical Habitat and draft Barred Owl EIS to the NSOIT and Technical Team. The final Critical Habitat rule will be available on November 15, 2012. In April, the Technical Team held a meeting with Brian Woodbridge (USFWS) and discussed how we can cooperate with the USFWS modeling team to answer key analytical questions developed by the Technical Team.	The Technical Team is currently developing federal and non-federal baseline scenarios to compare against future modeling runs. In addition, the team is currently working on determining how much can already be answered with existing information and identifying what would need to be answered with additional modeling runs.

***Barred Owl Working Group (BOWG) Update:**

The USFWS is working on the EIS and the Barred Owl Working Group has been briefed on progress with the draft EIS. The EIS will contain a range of alternatives with a variety of scenarios, allowing USFWS to evaluate the effects of a variety of approaches and develop a final decision based on a variety of alternative components.

The BOWG has previously recommended an experimental design involving 3 current demography study areas (including the Cle Elum study area in WA and two sites in OR). This will continue to be evaluated in the EIS process, along with other alternatives. The general experimental design would involve dividing each study site into control (no removal) and treatment (Barred Owl removal) areas. The analysis would involve comparing spotted owl population responses between the control and treatment areas. The Cle Elum study area is largely on federal lands. All alternatives will receive serious consideration, though some have complications, such as difficult access, small sample sizes, or substantially less robust analysis methods.

There is not a lot of activity on this issue outside the USFWS EIS work. If NSOIT would like more information we can contact Jim Thrailkill (Chair of the BOWG) or Robin Brown (USFWS lead on the EIS).

Other Processes the NSOIT is tracking that might be relevant and fruitful:

WWRP appraisal process
Funding

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Washington State Commissioner of Public Lands

MEMORANDUM

July 19, 2012

TO: Forest Practices Board

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

SUBJECT: Rule Making Activity and 2012 Work Plan

Following is an update on rule making activity (see attached Gantt chart for schedule).

Conversion Activities and Forest Practices Applications - Staff will request your approval to initiate rule making that will incorporate changes from Senate Bill 5883 (2007 legislation) and HB 1582 (2011 legislation) relating to conversions. The rule proposal also includes some changes related to Second Engrossed Substitute Senate Bill 6406 (2012 legislation).

2ESSB 6406 - Staff continue to review the legislation to determine the necessary amendments to incorporate the hydraulic project approval program into the Forest Practices rules. A draft rule proposal to initiate rule making is expected at your November meeting.

WAC 222-16-080 Critical Habitat – Staff will request your approval to notify the public the Board is considering rule making to amend rules relating to which wildlife plans are required to be reviewed under the State Environmental Policy Act and the critical habitat definition for gray wolf.

Also attached is a status update on your 2012 Work Plan.

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

paa/
Attachment

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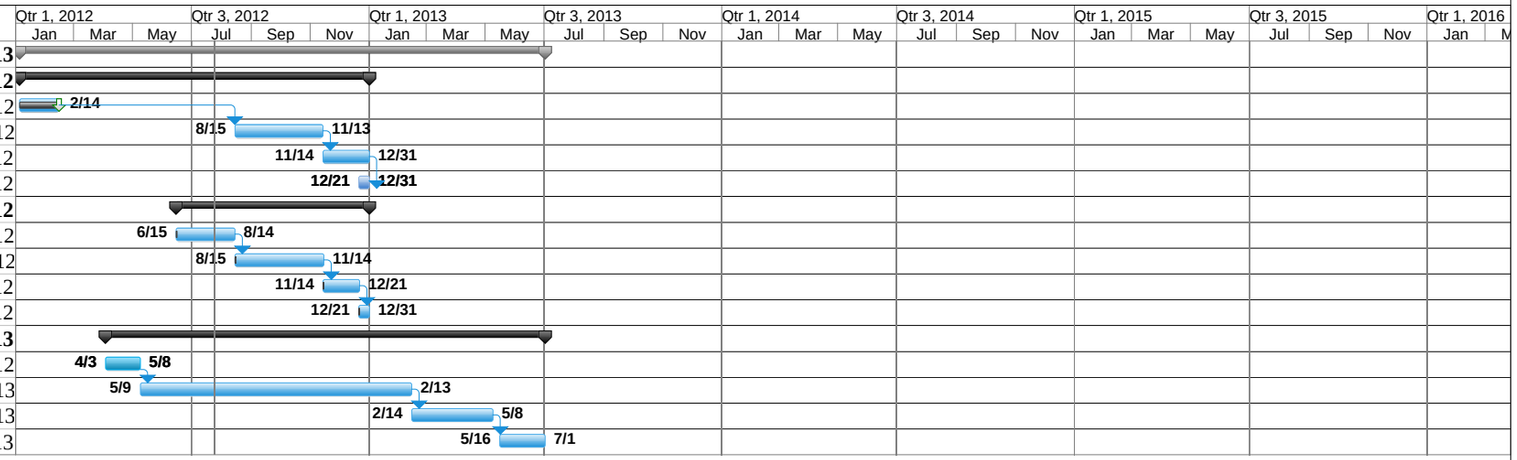
FOREST PRACTICES BOARD
2012-2013 Rule Making Schedule

ID	Task Name	Start	Finish
0	**2012-2013 Rule Making Schedule**	**Thu 1/5/12**	**Mon 7/1/13**
1	**Conversion Activities / FPA**	**Thu 1/5/12**	**Mon 12/31/12**
2	CR101	Thu 1/5/12	Tue 2/14/12
3	CR102 (CBA, SBEIS, SEPA)	Wed 8/15/12	Tue 11/13/12
4	CR103	Wed 11/14/12	Mon 12/31/12
5	Estimated effective date	Fri 12/21/12	Mon 12/31/12
6	**WAC 222-16-080**	**Fri 6/15/12**	**Mon 12/31/12**
7	CR101	Fri 6/15/12	Tue 8/14/12
8	CR102 (CBA, SBEIS, SEPA)	Wed 8/15/12	Wed 11/14/12
9	CR103	Wed 11/14/12	Fri 12/21/12
10	Estimated effective date	Fri 12/21/12	Mon 12/31/12
11	**HPA/FPA (2ESSB 6406)**	**Tue 4/3/12**	**Mon 7/1/13**
12	CR101	Tue 4/3/12	Tue 5/8/12
13	CR02 (CBA, SBEIS, SEPA)	Wed 5/9/12	Wed 2/13/13
14	CR103	Thu 2/14/13	Wed 5/8/13
15	Estimated effective date	Thu 5/16/13	Mon 7/1/13



Wed 7/25/12 - Subject to change

FOREST PRACTICES BOARD
2012 WORK PLAN

TASK	COMPLETION DATE/STATUS
Work Planning for 2013	November
Adaptive Management Program	
• CMER 2013 Work Plan and Budget	May - **Completed**
• Extensive Riparian Shade and Trend Monitoring Type F/Eastside Temperature Study	*2013*
• Extensive Riparian Type F&N Monitoring/Westside Temperature Study	*2013*
• The Mass Wasting Effectiveness Monitoring Project: A Post Mortem Study Examination of the Landslide Response to the December 2007 Storm in Southwestern Washington	*2013*
• Program Funding	On-going
• Solar Radiation Study	*August* - **Completed**
• Westside Type N Buffer Characteristics, Integrity & Function	*August* - **Completed**
Annual Reports	
• Compliance Monitoring Bi-Annual Report	February - **Completed**
• Forests and Fish Policy Priorities	August - **Completed**
• Northern Spotted Owl Conservation Advisory Group	November
• Taylor's Checkerspot Butterfly Report	February - **Completed**
• TFW Cultural Resources Roundtable	August - **Completed**
• Clean Water Act Assurances	*May* - **Completed**
Board Manual Development	
• Section 1, Shade	*2013*
• Section 7, Riparian Management Zones	*2013*
• Section 16, Unstable Slopes	*2013*
• Section 24, Bull Trout Overlay	2013
CMER Membership	As needed
Rule Making	
• *Legislative changes to conversions and forest practices applications*	November
• Critical Habitats	February - **Completed**
• *WAC 222-16-080 Critical habitat*	*February 2013*
• *2ESSB 6406*	*November 2013*
• Forestry Riparian Easement Program	May - **Completed**
• Notice of Forest Practices to Affected Indian Tribes	February - **Completed**
• *Pilot Rule for Soft Rock Study*	*May* - **Completed**
Upland Wildlife - Northern Spotted Owl	On-going
Quarterly Reports	
• Adaptive Management Program & Strategic Plan Implementation	Each regular meeting
• Board Manual Development	Each regular meeting
• Compliance Monitoring	Each regular meeting
• *Clean Water Act Assurances*	*February* - **Completed**
• Forests and Fish Policy Work Priorities	Each regular meeting
• Legislative Update	February & May - **Completed**

Italicized = change/addition

Updated August 2012

FOREST PRACTICES BOARD
2012 WORK PLAN

TASK	COMPLETION DATE/STATUS
• NSO Implementation Team	Each regular meeting
• Rule Making Activities	Each regular meeting
• Small Forest Landowner Advisory Committee & Office	Each regular meeting
• TFW Cultural Resources Roundtable	Each regular meeting
• *Upland Wildlife Working Group*	Each regular meeting

WASHINGTON STATE DEPARTMENT OF
Natural Resources

PETER GOLDMARK
Commissioner of Public Lands

MEMORANDUM

July 19, 2012

TO: Forest Practices Board

FROM: Tami Miketa, Manager, Forest Practices Small Forest Landowner Office

SUBJECT: Small Forest Landowner Office and Advisory Committee

Forestry Riparian Easement Program (FREP)
DNR is continuing to receive new applications for the FREP. There are currently 87 landowners that have applied for a forestry riparian easement (FRE) with a total of 96 applications on file (some landowners have more than one FRE application). With the funding for this biennium (FY 2012 – 2013), it is anticipated the Small Forest Landowner Office will determine compensation values for approximately 50 individual riparian easements, and will provide compensation for approximately 8 to 16 Forestry Riparian Easements.

Rivers and Habitat Open Space Program (R&HOSP)
Like the Forestry Riparian Easement Program, the Riparian Open Space Program was a product of the 1999 Forests and Fish Law (Engrossed Substitute House Bill 2091). It was codified in the Forest Practices Act (chapter 76.09 RCW) and adopted as a rule in chapter 222-23 WAC. The 2009 Washington State Legislature passed a new bill (HB 5401) that amended the Riparian Open Space Program to include habitats (state) for threatened and endangered species as eligible for purchase as conservation easements.. The Forest Practices Board adopted the Rivers and Habitat Open Space Program rules, effective June 19, 2011, which revised the rules to reflect the changes to the law. The Rivers and Habitat Open Space Program differs from the Forestry Riparian Easement Program in that it is available to all forest landowners, not just small forest landowners.

The Rivers and Habitat Open Space Program helps ensure the long-term conservation of aquatic resources and upland habitats. The program acquires conservation easements on lands and timber within a specific type of channel migration zone known as an “unconfined channel migration zone.” It also acquires easements to conserve habitats (state) of threatened and endangered species.

A channel migration zone is the area where the active channel of a stream is prone to move in the near term. Unconfined channel migration zones are generally larger water bodies, have less than 2 percent gradient and are found in a valley more than four times wider than the bank-full width of the channel. These areas typically have very high ecological value as spawning and rearing habitat for salmon and other fish species. Under the Forest Practices Rules, no timber harvesting or road construction may occur within channel migration zones due to their ecological importance.

The Forest Practices Rules protect critical habitat of ten upland species, two of which are the northern spotted owl and the marbled murrelet. Critical habitat is a federal designation that makes a special effort to protect the important characteristics that will assist in the recovery of the threatened or endangered species. Landowners that own forest land that is determined to be critical habitats (state) for these species are eligible to grant to the State a perpetual conservation easement under the Rivers and Habitat Open Space Program.

DNR screens applications, prioritizes qualifying applications, and acquires conservation easements based on available funding. There was no money allocated for the Rivers and Habitat Open Space Program for the FY11-13 funding period. When funding becomes available, applications for channel migration zones will be prioritized separately from applications for habitats (state) of threatened and endangered species. Applications will be prioritized based on conservation benefits and landowner management options.

The following table shows the budget allocated by the Washington State Legislature for the Rivers and Habitat Open Space Program, and the acres purchased since program inception.

Fiscal Year	Budget Allocated	Amount Spent	Number of Transactions	Acres Purchased
01-03	$1,000,000	$1,000,000	3	387
03-05	$1,000,000	$500,000	5	197
05-07	$2,000,000	$0	0	0
07-09	$2,200,000	$2,200,000	4	339
09-11	$500,000	$460,000	4	119
11-13	$0	$0	0	0

The $500,000 left over from FY03-05 was reallocated for FY05-07. All of the $2 million from FY05-07 was reallocated for FY07-09. There were no transactions for FY05-07 because applicants withdrew due to values lower than anticipated, or lands that were not eligible. There were 11 applications for FY09-11, of which eight were eligible. DNR assembled a Technical Selection Committee that determined the priority of funding of the eligible applications for the $500,000 allocated for the FY09-11 funding period.

The program is administered by the Department of Natural Resources, but it requires funding from the State Legislature. The last several years have seen decreasing state government revenues, which has resulted in agency budget shortfalls. Hopefully, as state government revenues increase or other funding sources become available sometime in the future, this program will receive funding. Until then, DNR feels it is important to determine the level of interest in this program by the forest landowner community of Washington State and to establish a list of potential interested participants. DNR is asking forest landowners to indicate their interest in submitting an application (once funding becomes available) by filing a Notice of Intent form with DNR. This Notice of Intent is not an application for this Program. DNR will gather the results of this survey of interest in this program and establish a list of potential participants. This list will be available in early November 2012 to budget makers and any other interested parties.

Long Term Applications (LTA's)
A long-term forest practices application is submitted and reviewed in two steps. There are a total of 96 approved long term applications; this is an increase of 6 approved applications since 04/09/2012.

LTA Decision	**LTA Phase 1**	**LTA Phase 2**	**TOTAL**
Approved	0	96	**96**
Closed	4	3	**7**
Disapproved	1	1	**2**
Rejected	10	0	**10**
Under Review	8	6	**14**
Validated	19	0	**19**
TOTAL	**42**	**106**	**148**

Family Forest Fish Passage Program (FFFPP)
To date, 232 barriers have been corrected, reconnecting 485 miles of fish habitat statewide. The FFFPP was allotted $2 million for the FY 2011-2012 biennium.

In 2012, a welcome opportunity presented itself in the Legislature with the passage of Engrossed Senate Bill 6074. This bill identified funding allotments for capital projects, and the FFFPP received $10 million dollars to be applied toward additional fish barrier corrections. For the 2012 construction season, the FFFPP will replace 17 fish barriers. It is estimated that with the $10 million received for this program, an additional 88 fish passage barriers will be corrected at an average cost of $102,154.00 per project.

This year, the FFFPP solicited proposals to create a video of FFFPP projects. The purpose of this video is to provide outreach to landowners that will promote FFFPP and educate small forest landowners about the program. The anticipated outcome of this video is to increase landowner enrollment for participation and to potentially increase funding opportunities based on increased enrollment to FFFPP. The message is directed specifically to non-industrial private forest landowners, other conservation professionals, as well as governmental and non-governmental representatives throughout the state of Washington.

At least three small forest landowner stories will be filmed and documented for this project. These stories will reflect on the personal experience landowners had working with the FFFPP staff, and the level of satisfaction they have regarding the FFFP program. Interviews with professionals involved in FFFPP and in salmon habitat restoration projects will also be filmed and documented.

Small Forest Landowner Outreach
The Small Forest Landowner Office distributed the April and June editions of the Small Forest Landowner News. The Small Forest Landowner Survey continues to remain open indefinitely to request information regarding the demographics of our landowners. The small forest landowner website is continuing to transform. Our new look should be up and running soon.

Forestry Riparian Easement Program Outreach

- At the request of the Washington State Legislature, DNR had been tasked to investigate potential permanent funding sources for FREP. Public meetings were held to initiate a conversation with relevant stakeholders on the subject. A report of the recommendations from the public meetings was sent to the legislature on May 31, 2012.
- The Forestry Riparian Easement Program has updated its webpage, educational materials, and increased interactions with stakeholders at Timber Fish and Wildlife (TFW) and Region District Meetings to inform the constituents about the changes and updates of the FREP.

Family Forest Fish Passage Program Outreach

- The Family Forest Fish Passage Program (FFFPP) now has the application to the program available online at http://www.surveymonkey.com/FFFPP. Updates have been made to educational materials including: brochure, fact sheet, contact list, program guidelines, and frequently asked questions.
- The FFFPP has increased its presence at TFW meetings, Region District meetings, SAF meetings, and Washington Farm Forestry Association meetings. The program is continually looking for quality projects to ensure that the worst projects are fixed first. The program is also collaborating with fish enhancement groups to act as sponsors to the program.
- The FFFPP created a survey in Survey Monkey to landowners who have participated in the program. The survey was used for comments on the construction process and landowner testimonials and quotes about the program for promotional materials.

Alternate Plans Outreach

To assist landowners in the process of creating an alternate plan the SFLO has developed an Alternate Plan Assistance Guide to be posted on the small forest landowner webpage. The reference material is provided as a tool to help landowners evaluate the resources needed to address as part of the alternate plan process.

Forest Stewardship Program Outreach

- Collaboration with WSU extension to host three Forest Owners Field Days across Washington State. WSU extension and DNR worked together on promotional materials for the event and work together to facilitate each event.
- The Forest Stewardship Program promotes many of its events and classes through the SFL News.
- An educational brochure was created to promote the Eastern Washington cost-share program in Eastern Washington to improve forest health and reduce wildfire and bark beetle risk.

Long-term Applications Outreach

The Small Forest Landowner Advisory Committee with assistance from the SFLO conducted a survey about the Long-term Application (LTA) process. The Committee wanted to know if

practitioners were aware of the LTA process and if they thought private landowners used this application on a regular basis. The survey was taken by 89 individuals.

Grant Applications
The Small Forest Landowner Office is continuing to seek out any and all grant opportunities to support the programs. The following table shows the grants applied for in 2012.

Grant Proposal	Status
2012 Western Competitive Resource Allocation Grant	2 grant proposals submitted: Absentee Outreach ($130,000 – received funding), and Columbia fish passage ($300,000 – no funding)
Natural Resources Conservation Service's Puget Sound Salmon Recovery Partnership Grant	Grant received May 2012. The grant will provide fish passage projects to three landowners through NRCS EQIP funding
2013 National Fish and Wildlife Foundation's Conservation Partners Grant in partnership with Northwest Natural Resources Group (NNRG)	Pre-Proposal submitted June 2012 and invited to submit full proposal by August 2, 2012. This grant will conduct road inventories on SFL properties, fix fish passage barriers, fix road surface erosion and sediment delivery where it exists, as well as promote ecological forestry options to landowners.

The SFLO has goals to continue to provide the highest quality of outreach to the small forest landowners. The Office will continue to pursue the use of media and social media to inform the public on the programs and the resources offered by the SFLO. Another important goal of the SFLO is to solicit feedback from users and track our outreach activities to ensure its effectiveness.

<u>Forest Stewardship Program</u>

- *Interagency MOU Completed and Signed*
  An interagency Memorandum of Understanding between agencies who provide services to family forest owners has been adopted and signed by all parties. The MOU clarifies roles and promotes coordination, communication, cooperation, operational efficiency, and effective service delivery. Participating agencies are: DNR, WSU Extension, USFS, NRCS, WA Conservation Commission and the WA Association of Conservation Districts. It replaces an earlier MOU dating back to 1993 and complements a similar agreement amongst comparable agencies and organizations at the national level.

- *Regional Forest Owners Field Days*
  The Eastern WA Forest Owners Field Day was held Saturday June 16 near Newport, Washington and was a huge success with almost 300 people from throughout NE Washington and North Idaho attending the daylong event. The Western WA Forest

Owners Field Day is scheduled for August 18 near Maytown.

Nearly 10,000 family forest owners have attended 29 Regional Field Day events at 27 different venues since 1996, including 12 Interstate events with Idaho and Oregon. The Field Days have proven to be an excellent means of attracting "new" forest owners who have not previously received forestry education or assistance.

- *Additional Stewardship Forester Position to be Reinstated in Western WA*
  Due to the elimination of state funding in July 2009, 2 of the 3 then existing Stewardship Forester positions were eliminated leaving a single Olympia-based forester to provide service for all of Western Washington supported by funds from the US Forest Service and WSU Extension. The legislature recently appropriated enough funding for the current biennium to enable DNR to resurrect one additional Stewardship Forester position to serve Western Washington. Work is currently in progress to formally establish the position.

Small Forest Landowner Advisory Committee
The advisory committee was convened on April 27 and June 27, 2012 to discuss topics of interest. The next meeting has not been scheduled.

Please feel free to contact me at (360) 902-1415 or tamara.miketa@dnr.wa.gov if you have further questions.

TM/

Cultural Resource Roundtable

July 20, 2012

MEMORANDUM

TO: Forest Practices Board

FROM: Timber/Fish/Wildlife Cultural Resources Roundtable Co-Chairs
Jeffrey Thomas, Puyallup Tribe of Indians
Peter Heide, Washington Forest Protection Association

SUBJECT: Quarterly Report of Timber/Fish/Wildlife Cultural Resources Roundtable Covering the Period April through June, 2012

The TFW Cultural Resources Roundtable is pleased to submit our second quarter 2012 report to the Forest Practices Board.

Again, the report is in the form of the Roundtable's Action Item list. This list is reviewed every month by the Roundtable and updated here to reflect current activities. Changes from the May report are highlighted in red and italic print.

Please note the completion of the streaming video mentioned in the May report and the completion of a survey on the effectiveness of the Cultural Resources Protection and Management Plan that forms the basis for much of the work of the Roundtable.

Jeffrey is looking forward to your August meeting where he will present the Roundtable's annual report providing a comprehensive view of the past year of Roundtable activities. Peter will be on vacation and unable to attend. However, through August 8th, please do not hesitate to contact either of us with questions or comments on either of these reports:

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

pheide@wfpa.org and (360) 791-8299

Enc.

T/F/W Cultural Resources Roundtable					*7/20/2012*	*Changes from the previous report are in Red or Italics*
Priority	**Action Items**		**Lead**	**Status**	**Next Action**	**Relationship to the CRPMP**
High	1	Seek funding and staff support for the Roundtable's work	Allyson Brooks	On hold due to state budget situation		
High	2	Prepare the cultural resource guidance documents and tools as agreed to in the CRPMP				Educational Program and Commitments
		Scope the guidance/manual project to develop a detailed description and outline of the proposed guidance or manual.		Complete		
		Work products:1) Guidance for T/F/W stakeholders, 2) Guidance specific to forest landowners, and 3) Guidance specific to Tribes.	Co-Chairs and DAHP	In progress	Review completed drafts, prepare drafts on remaining sections.	
		Post Roundtable guidance documents and other information and training material on the DNR Forest Practices web site		*On going*		
High	3	Improve knowledge and use of the GLO, historic and current USGS quad maps and other publicly available information to identify historic features recognized during 19th century land surveys.	Roundtable	In progress	*Stephan Dillon will forward the links he uses to identify historic features to Lee who is working on a flyer to distribute through DNR offices and on the Web*	Making available tools to improve identification and recognition of cultural resources in the field
		Include information about historic sites in the instructions for question 7 of the forest practices application.	Sherry	Scoping	Develop a draft	
Medium	5	Individual caucuses will support funding in the biennium *13-15* budget for a **full time** position at DAHP for the maintenance of CR data in support of the forest practices risk assessment tool.	Individual Caucuses	Currently the position has 1/2 time funding [	*Present the case for support at the proposed Forest and Fish legislative goals and priorities meeting in advance of the opening of the 2013 Legislature*	DNR Forest Practices Program support
Medium	7	Seek funding for a CR Module pilot project		On hold	Waiting for the next opportunity	Board Manual Section 11 Appendix J

T/F/W Cultural Resources Roundtable					*7/20/2012*	*Changes from the previous report are in Red or Italics*
Priority	**Action Items**		**Lead**	**Status**	**Next Action**	**Relationship to the CRPMP**
Medium	8	Develop a Logo for the Cultural Resources Roundtable	Jeffrey	In progress	An artist at the Puyallup Tribe has been engaged to adapt the T/F/W logo for CRR. *F & F Policy has been invited to join the effort*	Publicity
Low	9	Other CRPMP amendments to consider and further discuss:	Sherri	On hold		CRPMP Support
		Regarding MOUs, consider adding a statement specifying when DNR has a role in implementing MOUs and if there is a role, specifying its nature.				
		Under "Education Program and Commitments," modify #2 to recognize that agreements are often executed at the field level without the need for higher level contacts				
		Reference a role for the CRPMP in Forest Practices ID team deliberations and preparation of SEPA documents for Class IV Special FPAs				
Low	10	Prepare a report to the Forest Practices Board on the impact to cultural resource protection and management when forest land is converted to another use and regulatory responsibility passes to local government (county or city)	Jeff and Pete	On hold	Wait for other higher priority items to be addressed	

T/F/W Cultural Resources Roundtable					*7/20/2012*	*Changes from the previous report are in Red or Italics*
Priority		**Action Items**		**Lead**	**Status**	**Next Action**	**Relationship to the CRPMP**
On-Going Tasks	1	The Roundtable will: (a) meet monthly; (b) Report- to the FP Board at each regular meeting; (c) Review the CRPMP in June each year; (d) Report to the FP Board each August on progress of the CRPMP during the previous FY.		Co-Chairs	FPB meeting Aug 14 , Report due July 20.		Annual and quarterly obligation
	2	Give a CRPMP presentation at Regional TFW meetings as new CRPMP support material is released.		All	Next opportunity for TFW presentations after the 20-120 rule and supporting manual is passed by the FPB		Communication
			Create a Roundtable presentation about the DRPMP and Roundtable activities with a singular message and bullet points	*Jeff and Jesse*			
			Develop a yearly calendar of DNR Regional TFW Meting dates. Encourage the regions to include the Roundtable on the meeting agendas	*Sherri*			
			Post the Roundtable's outreach schedule on the DNR Forest Practices web site	*Sherri*			
	3	Emphasize accomplishments when communicating progress on implementing the CRPMP.		All	Post examples of successes and cooperative opportunities on the *DNR Forest Practices* web site.		Communication
	4	Contact individual FP Board members to “champion” CR Roundtable issues		All	*Collaborate with current FP Board members regarding cultural resources issues coming to the Board.*		Advance the Roundtable's work

T/F/W Cultural Resources Roundtable					7/20/2012	Changes from the previous report are in Red or Italics
Priority	**Action Items**		**Lead**	**Status**	**Next Action**	**Relationship to the CRPMP**
Completed Items	1	Cultural Resource Protection and Management Plan (CRPMP)		Completed 2003		
	2	Forest Practices Board adopted the rules recommended in the CRPMP		Completed 2005		
	3	Statutory exemption for sensitive cultural resource information gathered during a watershed analysis CR module or stand-alone CR module		Completed 2005		
	4	Updates to the CRPMP		Completed 2008		
	5	Recommendation to DNR staff and the Board for changes to the historic site definitions in Class III and Class IV Special definition to correct long standing interpretation issues		Completed 2008		
	6	A recommendation to include a cultural resource question on the Phase II 15-year small landowner permit application.		Completed Spring 2009		
	7	Draft a motion for the Forest Practices Board to request that the staff create a CR page on the Department's forest practices website		Complete (Board action was unnecessary)		
	8	With the support of the Commissioners Office, a Charter for the Timber/Fish/Wildlife Cultural Resources Roundtable (formerly known as TFW Cultural Resources Committee) delivered to the Forest Practices Board		Completed 2011		
	9	Consensus recommendation on changes to WAC 222-20-120 delivered to the Forest Practices Board		Completed 2011		
	10	As requested by the FPB, review and comment on a suggestion to amend 222-20-120 Sub-Section (3)(c))(i)		Completed 2011	*Recommendation adopted by the Board in Feb, 2012*	
	11	*Prepare a streaming video of Lee Stilson's lecture on cultural resources that typically may be found in Washington's managed forests*	4	*Completed May 2012*		

T/F/W Cultural Resources Roundtable					*7/20/2012*	*Changes from the previous report are in Red or Italics*
Priority		**Action Items**	**Lead**	**Status**	**Next Action**	**Relationship to the CRPMP**
	12	*In time for the FY 2012 report to the FPB, develop a method for formally assessing the performance CRPMP in accomplishing its purposes as stated on page 1 of the plan.*		*Completed June 2012*		

State of Washington
Department of Fish and Wildlife

Mailing Address: 600 Capitol Way N, Olympia WA 98501-1091, (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia WA

July 20, 2012

MEMORANDUM

To: **Forest Practices Board**

From: **David Whipple, Forest Policy Coordinator** DW

SUBJECT: **UPLAND WILDLIFE UPDATE – GRAY WOLF FOREST PRACTICES RULE**

During the May 8, 2012 Forest Practices Board (Board) meeting, I committed to assemble the Board's Wildlife Work Group to assess the Critical Habitat (state) forest practices rule for the gray wolf, and to subsequently recommend any necessary rule changes. This memo provides brief background information on the species and a status update on the rule assessment.

The gray wolf has been listed as a State Endangered species across the entire state since 1980, and is listed as Endangered under the Endangered Species Act in the western two-thirds of the state. The number of wolf sightings has increased in recent years, and Washington now has a small breeding population of wolves that is thought to be in the initial stages of recovery. In response to this increase the Department of Fish and Wildlife (WDFW), after a lengthy stakeholder process, finalized a Wolf Conservation and Management Plan (Wolf Plan), which was approved by the Fish and Wildlife Commission on December 3, 2011.

WDFW's Wolf Plan recognizes the current forest practices rule, which focuses on protecting and preventing disturbance of known den sites, was adopted in 1992, and that more recent information relative to wolf protection has been collected in other Western states. The Wolf Plan recommends this newer information be used to evaluate whether Washington's rule is still appropriate or if changes should be recommended.

In anticipation of possible Board action on August 14 relative to the gray wolf rule, I am leading the Board's Wildlife Work Group in an assessment of the current wolf rule in light of the new scientific information. I've been working with WDFW's wolf management staff in order to facilitate this process, which will result in a recommendation to the Board as to whether a rule modification is appropriate. The first Wildlife Work Group meeting is expected to occur prior to the August 14 Board meeting to allow me to provide an update at that time.

For the Board's information, I'm including the current rule for the gray wolf below.

WAC 222-16-080 Critical habitats (state) of threatened and endangered species. *[Effective 3/18/12]*

(1) Critical habitats (state) of threatened or endangered species and specific forest practices designated as Class IV-Special are as follows:

> (a) Gray wolf (*Canis lupus*) - harvesting, road construction, or site preparation within 1 mile of a known active den site, documented by the department of fish and wildlife, between the dates of March 15 and July 30 or 0.25 mile from the den site at other times of the year.