

1 **FOREST PRACTICES BOARD SPECIAL MEETING**

2 **MINUTES**

3 December 16, 2008

4 United Churches, Olympia, Washington

5
6 **Members Present:**

7 Vicki Christiansen, Chair Designee of the Board

8 Ann Wick, Designee for Director, Department of Agriculture

9 Brent Bahrenburg, Designee for Director, Community, Trade and Economic Development

10 Bridget Moran, Designee for Director, Department of Fish and Wildlife

11 Bill Little, Timber Products Union Representative

12 Carolyn Dobbs, General Public Member

13 David Hagiwara, General Public Member

14 David Herrera, General Public Member

15 Dave Somers, Snohomish County Commissioner

16 Doug Stinson, General Public Member/Small Forest Landowner

17 Norm Schaaf, General Public Member

18 Sherry Fox, General Public Member/Independent Logging Contractor

19 Tom Laurie, Designee for Director, Department of Ecology

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21 **Staff:**

22 Chuck Turley, Forest Practices Assistant Division Manager

23 Lenny Young, Forest Practices Division Manager

24 Patricia Anderson, Rules Coordinator

25 Phil Ferester, Assistant Attorney General

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28 **WELCOME AND INTRODUCTIONS**

29 Vicki Christiansen called the Forest Practices Board (FPB or Board) meeting to order at 1:00 p.m.

30 Introductions were made by Board, staff and attendees. Patricia Anderson, Department of Natural

31 Resources (DNR or Department), provided an emergency safety briefing.

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33 **NORTHERN SPOTTED OWL RULE MAKING**

34 Lenny Young, DNR, presented a rule proposal to address the expiration of the current moratorium

35 on decertification of Northern Spotted Owl site centers. He said the proposal was a consensus

36 product developed by the forest products industry, the conservation community and the state

37 agencies. The rule proposal

38 • Amended the definition of the Northern Spotted Owl site center in WAC 222-16-010 by
39 removing language about the temporary moratorium on decertification;

40 • Added a definition for a spotted owl conservation advisory group; and

41 • Revised WAC 222-16-080 by adding language which specified the group's function, and
42 indicated that the group's existence would be limited to one year.

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44 Young recommended to the Board that they approve the language as an emergency rule, and also
45 directed staff to file a CR-101 to start the permanent rule making to implement this rule proposal.

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47 He stated that this would be an interim approach that would sunset after one year. By that time the
48 Northern Spotted Owl Policy Working Group would have recommendations that would address the
49 issue for the longer term and would replace the rule he proposed.

1 Sherry Fox asked about the purpose of the spotted owl conservation advisory group. Young
2 responded that the only role for the new three person group would be to evaluate any decertification
3 surveys approved by the Department of Fish and Wildlife. He stressed it would be a very specific,
4 temporary role.

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6 Carolyn Dobbs asked if the U.S. Fish and Wildlife Service was consulted on the rule proposal.
7 Young replied that neither of the services were consulted because the rules proposed would not
8 have a direct application to federal laws.

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10 David Hagiwara asked when the Board would designate the advisory committee. Young replied
11 that a recommendation of individuals would be presented to the Board for approval prior to the
12 February 2009 meeting.

13 **PUBLIC COMMENT**

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16 Josh Weiss - WFPA, Nina Carter - Audubon Washington, and Shawn Cantrell - Seattle Audubon,
17 jointly expressed support of the rule proposal and encouraged the Board to approve it.

18 **NORTHERN SPOTTED OWL RULE MAKING - ACTION**

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21 **MOTION:** Bridget Moran moved that the Forest Practices Board adopt the proposed changes
22 to the definition (WAC 222-16-010) of Northern Spotted Owl site center and WAC
23 222-16-080 (6) and direct staff to file a CR-103 with the Office of the Code
24 Reviser to implement these changes as an emergency rule. She also moved that the
25 Board direct staff to file a CR-101 with the Office of the Code Reviser stating the
26 Board's intent to implement these changes as a permanent rule. Further, she
27 moved that the Board direct staff to recommend representatives from the
28 forest products industry, the conservation community, and the department's forest
29 practices program to comprise the spotted owl conservation advisory group, and
30 transmit its recommendations to the Board in writing no later than January 25,
31 2009, so that the Board can designate members of the advisory group at its
32 February 11, 2009 meeting.

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34 **SECONDED:** Sherry Fox

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36 Board Discussion:

37 Fox commended the stakeholder group for their work on the rule proposal. She was appreciative of
38 their collaborations.

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40 Schaaf said he had discussed this with some foresters, and thought there was likely to be a very
41 small number of owl circles that would be requested for decertification through this new process.

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43 **ACTION:** Motion passed unanimously.

44 **EXECUTIVE SESSION**

45 None.

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48 Meeting adjourned at 1:45 p.m.