

1 **FOREST PRACTICES BOARD**

2 September 9 & 10, 2003

3 Red Lion Hotel

4 Yakima, Washington

5
6 **Members Present:**

7 Pat McElroy, Designee for Commissioner Sutherland, Chair of the Board

8 Alan Soicher, General Public Member

9 David Hagiwara, General Public Member

10 Eric Johnson, Lewis County Commissioner

11 John Mankowski, Designee for Director, Department of Fish and Wildlife

12 Sherry Fox, General Public Member/Independent Logging Contractor

13 Toby Murray, General Public Member

14 Tom Laurie, Designee for Director, Department of Ecology

15 Wendy Holden, Designee for Director, Office of Trade and Economic Development

16
17 **Absent:**

18 Bob Kelly, General Public Member

19 Keith Johnson, General Public Member/Small Forest Landowner

20 Lee Faulconer, Designee for Director, Department of Agriculture

21
22 **Staff:**

23 Lenny Young, Forest Practices Division Manager

24 Ashley DeMoss, Forest Practices Assistant Division Manager

25 Neil Wise, Assistant Attorney General

26 Patricia Anderson, Rules Coordinator

27 Karrie Brandt, Board Coordinator

28
29 **SEPTEMBER 9, 2003 - FIELD TOUR**

30 The Board, staff, and public met at the Yakima Red Lion Hotel in Yakima to begin the field tour.

31 The tour included private and state owned sites. Discussion topics were culvert installation to
32 improve fish passage, Road Maintenance and Abandonment Planning (RMAP), Perennial Initiation
33 Points (PIP), and eastside forest health issues. The field tour ended at 4:30 p.m.

34
35 **SEPTEMBER 10, 2003 – SPECIAL MEETING**

36 **CALL TO ORDER**

37 Pat McElroy called the meeting to order at 9:05 a.m. Karrie Brandt gave an emergency safety
38 briefing. Introductions were made of the Board, staff, and attendees.

39
40 **PUBLIC COMMENT**

41 Alan Pleus, Northwest Indian Fisheries Commission, commented on the PIP site visit on the
42 previous day's field tour. Pleus stated that from the tribe's point of view there is a wide range of

1 situations on the eastside, including some anomalies. To assist in dealing with these dry situations
2 and type 4 functions, Cooperative Monitoring, Evaluation and Research (CMER) has initiated
3 the type N (non-fish waters) study. The scientific analysis will identify the functions and the best
4 way to differentiate between a type NP (non-fish perennial waters) and a NS (non-fish seasonal
5 waters).

6

7 **FIELD TOUR DISCUSSION**

8 Wendy Holden complimented staff for their efforts in putting together the retreat. She felt the site
9 examples suitably illustrated the problems that people were having with the rules. She hoped that
10 the Board would consider the impacts that the details of the rules have especially the way people in
11 the field pour over them and take the rules literally. Holden thought the Board needed to be careful
12 about its choice of rules and words to make sure that sufficient flexibility for appropriate levels of
13 professional judgment in the field is built into them so not to be so prescriptive that unintended
14 consequences are created.

15

16 Mankowski shared cost estimates on culvert installation for fish passage. The estimates were jointly
17 created by the Department of Fish and Wildlife (DFW) and the Department of Natural Resources
18 and provided by six small forest landowners in western Washington. Some factors that affect cost
19 include road width, engineer and operator experience, depth of road fill, and road alignment at
20 stream crossing. Costs range from \$4,000 for 5-8 foot culverts to \$50,000 for a 50 foot steel bridge.
21 The Board would like to be apprised as new data and costs estimates are developed.

22

23 Mankowski agreed with Holden that latitude should be built into the rules. Along with a good
24 training program that provides an understanding of what the function and values are of the rules.

25

26 Hagiwara also thanked staff and commented on the importance of the Board receiving feedback
27 from field folks on how the rules are working. He values the discussions in the field and would
28 advocate for more field tours.

29

30 Soicher stated that the intent of a rule should be stated in the Board Manual sections and in the
31 rules. He supports some flexibility in the rules to allow for professional judgment but they also need
32 to be prescriptive to an extent.

33

1 **BOARD MANUAL DEVELOPMENT PRIORITIES**

2 Marc Engel presented a timeline created by stakeholders and Board staff for action on revising and
3 developing Board Manual sections over the next two years, which included targeted approval dates
4 and a priority order. Sections that will be before the Board in the near future include Shade
5 Requirements, Channel Migration Zone (CMZ) and Bankfull Width, Forest Roads, Watershed
6 Analysis, Determining Fish Use, and Alternate Plans.

7

8 Alan Soicher asked if the sections on Determining Fish Use and Guidelines for Field Protocol
9 would be ready when the watertyping model is complete. Engle responded yes, that is the
10 intent.

11

12 Soicher also suggested that the Adaptive Management section be developed sooner than 2005. The
13 Board concurred and asked Engel to make Section 22 a higher priority.

14

15 **WILDLIFE PLANNING**

16 John Mankowski stated that he would like to have project scoping information for the Board at the
17 November meeting. Then he would like to schedule a workshop for December to present the
18 complex issues to the Board. A special meeting for the Board will be held on December 2, 2003, for
19 wildlife planning.

20

21 **DEVELOP BOARD'S 2004 WORKPLAN**

22 Ashley DeMoss reviewed the work plan that was established last year and provided a progress
23 report on those activities. The Board's 2004 work plan includes ongoing activities from 2003 such
24 as rule making on RMAPs, marbled murrelets, cultural resources, the Board's procedures and ethics,
25 and administrative rule clarifications. Other anticipated Board activities include a pilot for testing
26 riparian rules, revising and developing Board Manual sections, the new water type model and maps,
27 ongoing work with DFW on its wildlife assessment and rule review, rule recommendations from
28 adaptive management research, and response to Critical Wildlife Habitat Designations by the
29 services for listed salmonids. In addition, panel discussions on the economics of a "viable forest
30 products industry" and field practitioners reporting on Forests and Fish rule implementation were
31 also expected.

32

1 The Board's meeting schedule for the remainder of 2003 and 2004 is as follows:

- 2 • September 25 & 29, 2003 - RMAP E-rule hearings in Longview and Colville
- 3 • October 15, 2003 at the Natural Resources Building in Olympia
- 4 • November 12, 2003 at the Natural Resources Building in Olympia
- 5 • December 2, 2003 (wildlife planning workshop) - Location to be determined
- 6 • February 10 & 11, 2004 (water typing tour) - Olympia area
- 7 • May 5, 2004 - hold date open in the event a meeting is needed
- 8 • June 1 & 2, 2004 (wildlife fieldtour) - Location to be determined
- 9 • August 11, 2004 at the Natural Resources Building in Olympia
- 10 • November 10, 2004 at the Natural Resources Building in Olympia

11

12 **EXECUTIVE SESSION**

13 Executive session convened at 11:25 a.m. and ended at 11:37 a.m.

14

15 **MOTION:** Tom Laurie moved to adjourn the meeting.

16

17 Meeting adjourned at 11:39 a.m.