Washington State Department of Natural Resources

Sustainable Harvest Calculation for Eastern Washington

Staff Report

To: Sustainable Harvest Calculation (SHC) Steering Committee

From: SHC Project Team

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Subject: Expiring Land Plans

Proposed Action

The Sustainable Harvest Calculation (SHC) Steering Committee is requested to decide how to address land plans that may expire within the timespan covered by the sustainable harvest calculation for eastern Washington.

Background

While a decision has not yet been made on the timespan of the model, the length of time needed to analyze long-term timber harvest sustainability in future timber harvest will extend beyond the expiration dates of several land plans in eastern Washington. These land plans include:

1. State Trust Lands Habitat Conservation Plan – set to expire in 2067, renewable up to three decades (e.g. 2097)
2. Forest Practices Habitat Conservation Plan – set to expire in 2056, renewable
3. Loomis State Forest Landscape Plan – set to expire in 2076
4. Lynx Habitat Management Plan – set to expire upon the delisting of the Canada lynx or in 2076, whichever occurs first
5. Okanogan Lynx Management Zone Interim Management Guidelines and Recommendations – no set expiration date, expires when lynx habitat has recovered from wildfires and other activities in the Okanogan LMZ

State Trust Lands Habitat Conservation Plan

The State Trust Lands Habitat Conservation Plan (HCP) was established in 1997 as an ecosystem-based forest management plan to provide habitat for certain species that are deemed threatened or endangered under the federal Endangered Species Act (ESA) while carrying out forest management practices. The HCP constitutes an agreement with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) to provide protections for federally listed species in exchange for an incidental take permit (ITP) under the ESA. Other species of concern, including some Washington State-listed species, candidate species, or non-listed species that may be declining,

also benefit from the habitat conservation strategies within the HCP. The plan also guides the conservation of uncommon habitats.

One of the federally listed species covered by the HCP is the northern spotted owl. The HCP conservation strategy for northern spotted owls in eastern Washington requires maintaining specific levels of nesting, roosting, and foraging (NRF) habitat as well as dispersal habitat in different spotted owl management units (SOMUs). This impacts the SHC landscape with habitat thresholds and restrictions on how much habitat can be converted to non-habitat.

In 2004, the 1997 HCP was amended for the Klickitat HCP planning unit (Amendment One). The amendment reflected that not all sites in eastern WA are capable of supporting NRF and dispersal habitat and consequently reconfigured habitat management areas to reflect these site limitations, focusing on developing habitat where it can be sustained. Amendment One established alterations to constraints of habitat thresholds of SOMUs, legacy tree requirements, and nest site protections.

The 1997 HCP is set to expire seven decades after establishment, in 2067. However, the plan is renewable for up to three decades and could be extended to 2097. The intention when creating the plan was to set a date in which the 1997 HCP would be updated, not necessarily rescinded.

Forest Practices Habitat Conservation Plan

In 2006, the Department of Natural Resources' (DNR's) Forest Practices (FP) program also pursued an HCP in collaboration with Tribes and forest stakeholder groups (state agencies, forest landowners, conservationists, counties, and federal agencies). The FP HCP focuses on species conservation of ESA-identified aquatic and riparian dependent species and the restoration and maintenance of riparian habitat and water quality while carrying out forest management practices. ITPs were issued by USFWS and the National Marine Fisheries Service (NMFS) that cover the take of several salmonid and other aquatic and riparian dependent species on all non-federal and non-tribal lands located in Washington.

In eastern Washington, major management direction from FP HCP rules for state trust lands includes designated stream and wetland buffer widths, thresholds for harvest entry and post-harvest retention in riparian and wetland areas, and stream shade requirements for bull trout.

The FP HCP is set to expire five decades after establishment, in 2056; however, the plan is renewable. The intention when creating the plan was to set a date in which the FP HCP would be updated, not necessarily rescinded. It is important to note that if the FP HCP expires, this does not mean the FP rules will expire because the rules are approved separately by the FP Board.

Loomis State Forest Landscape Plan

The Loomis State Forest is the largest block of contiguous DNR-managed lands in eastern Washington at approximately 134,000 acres. Due to high levels of tree mortality, increased pressure to harvest trees, and concern about the effects of these conditions on wildlife (particularly the Canada lynx), the Loomis State Forest became a controversial block of state trust land to manage in the early 1990s. The Loomis State Forest Landscape Plan (Loomis Plan) was created in 1996 to guide management of the forest in a transition from current forest conditions to the desired future

conditions of multiple forest resources. The Loomis Plan describes management strategies to ensure long-term productivity of trust assets while integrating the needs of ten different resource areas (archaeological/historical, air quality, forest health, grazing, mineral exploration and mining, recreation, soil protection, transportation system, water and fish, and wildlife).

The Loomis Plan establishes increased leave tree retention, increased downed woody debris (DWD) retention, Riparian Management Zone (RMZ) harvest restrictions, and maintenance of hydrologically mature forests. Additionally, there are specific requirements for each of the six vegetative zones within the Loomis landscape.

In 2000, the Loomis State Forest Late Successional Forest Blocks Development and Stand Analysis guidance document was developed to provide specific management strategies and support late successional forest (LSF) objectives within the three LSF blocks located in the Loomis State Forest. This guidance document establishes additional constraints that impact the SHC landscape including increased leave tree retention, increased DWD retention, increased riparian buffer widths, RMZ retention, limited harvest unit size, and harvest area restriction.

The Loomis Plan is set to expire eight decades after establishment, in 2076. The intention when creating the plan was to set a date in which the Loomis Plan would be updated, not necessarily rescinded.

Lynx Habitat Management Plan

The Lynx Habitat Management Plan (Lynx Plan) was first established in 1996, in conjunction with the Washington Department of Fish and Wildlife (WDFW), in response to WDFW listing the Canada lynx as threatened. The plan was updated in 2006, following federal listing of the species as threatened. DNR received a take avoidance letter from USFWS for implementation of the revised plan. The Lynx Plan guides forest management practices to facilitate the creation and preservation of quality lynx habitat and covers approximately 125,900 acres.

There are numerous operational constraints prescribed in the plan which constrain agency management in Lynx Management Zones (LMZs). At the strategic planning scale, constraints include restrictions on pre-commercial thinning and habitat conversion and a requirement to attain habitat threshold goals. Alongside the interim Okanogan LMZ guidelines discussed in the following section, the requirements are highly constraining to the SHC model where LMZs are present.

The Lynx Plan is set to expire when the Canada lynx is delisted or eight decades after establishment in 2076, whichever occurs first. Additionally, the plan should be updated at least every five years and monitoring "will play a key role in the periodic evaluation of the plan and any revisions that may be necessary" (Lynx Plan, pp. 61).

Okanogan Lynx Management Zone Interim Management Guidelines and Recommendations

In 2010, the Okanogan Lynx Management Zone (LMZ) Interim Management Guideline and Recommendations (Okanogan LMZ Interim Guidance) was developed to assure no net loss of quality foraging habitat as a result of timber harvest on DNR-managed lands in the Okanogan LMZ. This

interim management was evoked by a significant loss of mature boreal forests, primarily as a result of wildfire in the Okanogan LMZ, and a reduction in the lynx population. The Okanogan LMZ contains the majority of DNR-managed lynx habitat, at about 77%. This comprises 20-30 percent of the areas occupied by lynx in mid-1980's lynx studies in north-central Washington (Lynx Plan, pp. 9). However, the Okanogan LMZ is primarily dominated by federal lands, with DNR-managed lands comprising a little over 4% of the land area in the LMZ.

The objective of the interim guidance is to prevent further degradation of the conditions that support lynx in the Okanogan LMZ until the areas that have been impacted by fire and other activities have regenerated to a condition where they are once again able to support lynx habitat. The constraints are specifically focused on the protection of quality foraging habitat, which is defined by snowshoe hare density. This interim management establishes similar but more restrictive constraints compared to the Lynx Plan including restrictions on silvicultural treatments and habitat conversion limits.

The Okanogan LMZ Interim Guidance does not state an expiration date; however, the intention when the plan was created was for the interim guidance to remain in effect until lynx habitat had recovered in the LMZ and then be rescinded. USFWS, WDFW, and DNR must agree that the measures established by the interim guidance are no longer necessary; presumably this will occur when there is sufficient forage and/or other habitat in the Okanogan LMZ. Monitoring of lynx habitat by Northeast Region shows that lynx habitat has recovered in the Okanogan LMZ and staff are beginning to work with USFWS and WDFW to determine whether the interim guidance can be rescinded.

Analysis

Option 1: All land plans remain in place throughout the timespan of the strategic model and beyond their expiration dates.

This option assumes all of the listed land plans will remain in effect for the entirety of the strategic modeling period and these constraints of DNR's operating environment will not change over time in the model, regardless of land plan expiration dates.

Although the land plans are expected to expire within the timespan of the strategic model or have no expiration date, it may be prudent to assume that these plans would be extended, new plans would be developed to replace the expiring plans, or new conservation efforts would be established. For instance, the federal ESA will still be in effect when the 1997 HCP and 2006 FP HCP are set to expire. If these land plans are not renewed, it is likely they will be replaced with a similar land plan or other conservation approach. Since the ESA has no expiration date, DNR is required to meet ESA compliance in any new plan. However, attempts to anticipate future changes to land plans would be highly speculative.

Trends in recent decades show that DNR's operating environment is only becoming more constrained over time. Accordingly, given the uncertainty around future conservation requirements, it would be prudent to assume constraints will remain the same. Additionally, this option is in alignment with how expiring land plans were handled in the previous SHC calculation for western Washington in 2019.

Option 2: All land plans, except for the Okanogan LMZ Interim Guidance, remain in place throughout the timespan of the strategic model and beyond their expiration dates. The Okanogan LMZ Interim Guidance will expire after the end of the first decade.

Following large wildfires in the Okanogan LMZ, the interim guidance was established in order to prevent further degradation of the lynx habitat conditions until the affected areas regenerated. While the interim guidance is considered a modification to the Lynx Plan, it was intended to last until USFW, WDFW, and DNR agree that measures established by the interim guidance are no longer necessary. Therefore, the interim guidance was not intended to be implemented for the same duration of time as the Lynx Plan and may be rescinded.

Region monitoring of lynx habitat in the Okanogan LMZ shows that lynx habitat may currently be at a level capable of supporting lynx. Staff are beginning work to determine if the interim guidance can be rescinded. Because the Okanogan LMZ Interim Guidance was intended to stay in effect until habitat had recovered, the interim guidance should be considered for expiration within the timespan of the model. Since staff believe the Okanogan LMZ Interim Guidance will be rescinded within the first decade of the model, the Steering Committee has decided these constraints should expire after the end of the first decade in the strategic model if this option is chosen. If the interim guidance is not rescinded during the planning decade, staff can continue modeling the constraint in subsequent SHCs. Regardless of modeling assumptions, on-the-ground implementation of the interim guidance requirements will continue until rescinded.

Option 3: All land plans, except for the Loomis Plan and Okanogan LMZ Interim Guidance, remain in place throughout the timespan of the strategic model and beyond their expiration dates. The Loomis Plan would expire in 2076 and the Okanogan LMZ Interim Guidance would expire after the end of the first decade.

This option assumes that the agreements with USFWS and NMFS designed to mitigate or avoid the incidental take of threatened or endangered species will remain in effect for the entirety of the strategic modeling period, except for the Okanogan LMZ Interim Guidance which would be assumed to expire during the first decade of the model. Therefore, the 1997 HCP, FP HCP, and Lynx Plan would remain in place for the duration of the modeling timespan. As discussed in Option 1, it would be prudent to avoid assumptions around future conservation efforts that would be established when these land plans expire. However, as discussed in Option 2, the Okanogan LMZ may currently meet lynx habitat requirements and the Steering Committee has decided these constraints should only be modeled for the first decade if this option is chosen. Regardless of modeling assumptions, on-the-ground implementation of the interim guidance requirement will continue until rescinded.

The Loomis Plan is not an agreement with the federal or state services designed to mitigate the incidental take of threatened or endangered species and therefore, could be modeled to expire in 2076 as indicated in the plan. The Loomis Plan was established by DNR to address forest health and other concerns in the Loomis State Forest. The plan sets specific objectives for multiple resource areas in each decade or group of decades. Assuming the decadal objectives and desired future conditions are met by 2076, the plan could expire with no need for an additional land plan or

mitigation effort. However, the Loomis State Forest could continue to be a controversial block for DNR to manage and the intention of the plan when it was created was to update it upon expiration, not necessarily to rescind it.

Option 4: All lands plans with expiration dates would expire on their respective expiration dates. The Okanogan LMZ Interim Guidance would expire after the end of the first decade.

This option would assume that when the listed land plans expire, there would not be renewal or replacement, and additional conservation efforts would not be established. This is interpreted to mean that DNR's operating environment regarding these land plans would become less constraining over time during the modeling period.

The 1997 HCP, FP HCP, Lynx Plan, and Okanogan LMZ Interim Guidance were established in accordance with the federal ESA to mitigate or avoid the incidental take of threatened and endangered species. There is potential that species may be delisted by the expiration dates of these plans and drastic changes could occur to habitat conservation strategies that currently constrain DNR's operating environment. However, as previously noted, trends in recent decades suggest that DNR's operating environment is only becoming more constrained over time, not less. While this option would follow the sunset dates established in each land plan, it would be speculative to assume the intended efforts and requirements set in place by these land plans would immediately end.

As discussed in Option 2, the Okanogan LMZ may currently meet lynx habitat requirements and the Steering Committee has decided these constraints should only be modeled for the first decade if this option is chosen. If the interim guidance is not rescinded during the planning decade, staff can continue modeling the constraint in subsequent SHCs. Regardless of modeling assumptions, on-the-ground implementation of the interim guidance requirements will continue until rescinded.

Recommendation

The Project Team recommends that the SHC Steering Committee follow Option 2, meaning all land plans, except the Okanogan LMZ Interim Guidance, would remain in place throughout the timespan of the strategic model and beyond their expiration dates. It would be prudent to assume that at the time of expiration, these plans would either be extended, new plans would be developed to replace the expiring plans, or new conservation efforts would be established. In order to avoid speculation on potential changes to constraints in the future, the plans should be extended for the entirety of the strategic model. However, the Okanogan LMZ Interim Guidance should be set to expire after the end of the first decade of the strategic model because it was intended to be rescinded when lynx habitat had recovered in the Okanogan LMZ. Staff believe the Okanogan LMZ may currently be at a level capable of supporting lynx and are beginning the process of rescinding the interim guidance. Regardless of modeling assumptions, on-the-ground implementation of the interim guidance requirements will continue until rescinded.

Review and Decision

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- Todd Welker – Deputy Supervisor for State Uplands
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The Steering Committee has approved the staff recommendation as a project decision as of April 23rd, 2025.