



**DEPARTMENT OF
NATURAL RESOURCES**

Forest Practices Division

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MEMORANDUM

July 30, 2020

TO: Forest Practices Board

FROM: Mark Hicks, Adaptive Management Program Administrator 

SUBJECT: Adaptive Management Program Quarterly Report

This memo highlights work completed and progress made in the Adaptive Management Program (AMP) since your February, 2020 meeting.

AMP Budget Update

- I will be bringing consensus recommendation from TFW Policy for revising the MPS budget that covers ongoing and planned projects beyond the current biennium.

In May I brought the Board an MPS budget that reduced the budget by \$1.91 million to respond to a change in our expected available funds.

Even assuming AMP funding is restored, we are projecting substantial deficits in later biennia. Projects have been delayed, special projects added, monitoring extended beyond timeframes, and projects have been moved out in time in order to bring the current biennium in balance. This has resulted in projected deficits in the next two biennia that needed to be addressed in the MPS budget.

The 21-23 biennium MPS I am bringing to you for your August meeting makes adjustments to the out-years designed to keep them in balance. These changes put the program in a better position for moving forward.

AMP Staffing Update

- In response to the Master Project Schedule (MPS) budget approved by the Board in May we are leaving two CMER Staff Scientist positions vacant for the remainder of this 19-21 biennium. The revised MPS being brought to the Board for approval at this August meeting recommends the timing for filling these positions in the following biennium in a

sequence that will keep the MPS budget in balance over future biennium and still provide critical technical support for prioritized research projects.

Cooperative Monitoring, Evaluation and Research Committee (CMER) Update

Projects with Key Stages Completed:

- The Westside Buffer Characteristics, Integrity and Function (BCIF) final report was approved by TFW Policy.
- The Eastside Type F Bull Trout Overlay Add-On study final report was approved by TFW Policy.
- The Forested Wetlands Effectiveness Monitoring Project (FWEP) phase I pilot study design has been approved by TFW Policy.
- The Type Np Soft Rock Lithology (Soft Rock) study was approved by CMER and is now in Independent Scientific Peer Review (ISPR).
- The Unstable Slopes Criteria Project study design for Project 2 of this 5-part study was approved by TFW Policy is now in implementation. Contract assistance for the first part of this study has been cut in response to the limitations of the budget. While the work can be done using only CMER Science Staff, this will slow the project down.
- The Extensive Riparian Status and Trends Monitoring (ERST) - Vegetation Pilot Study (transferability) report was approved by TFW Policy. This is part of a phased method development study. The results will be used to continue examining the feasibility of using LiDAR to model riparian stand conditions across the state. Further work is currently on hold due to the limitations of the AMP budget and the need for TFW Policy direction regarding the needs and goals for this effort.

Projects in Active Development:

- The Type N Hard Rock Phase II Extended Monitoring Report received review comments from the ISPR that are now being addressed by the authors. It is anticipated it will take approximately 12 more months to complete the needed changes and get CMER and Policy approval of the final report.

- The Eastside Modeling Effectiveness Project applying forest health and fire risk models to eastside riparian areas remains in the ISPR process due in part to a loss of the lead author by the contractor.
- The Road Prescription Scale Effectiveness Monitoring Project is in full implementation. However, some model parameterization experiments have been postponed due to the reduction in the budget for this current biennium.
- The Eastside Type N Riparian Effectiveness Project (ENREP) is in full implementation in the original four basin site-pairs, and is working to add one additional site-pair near Mt. Spokane to increase sample size and strengthen the study.
- The Eastside Timber Habitat Evaluation Project is still in scoping within the Science Advisory Group for the Eastside (SAGE). This project is one of two priority projects assigned to the new Eastside CMER Staff Scientist hired in early 2020.
- Type F Effectiveness Monitoring Project Phase I Pilot Study remains in report preparation. The pilot study is intended to be used to develop a study design for a more rigorous test of the effectiveness of the Type F rule buffers. This next phase will be delayed by 4 years in response to the limitations of the AMP budget.
- The LiDAR-based Wetlands Identification Tool project remains near completion with a contract in place to prepare a user's manual for the model.
- The Riparian Characteristics and Shade Project (RCS) work continues toward the goal of having an approved study design in mid FY22. This project examines the effects of various buffer widths and intensities of riparian management on shade across the state.
- The Deep-Seated Landslide Research Strategy within the Upland Processes Science Advisory Group (UPSAG). The first scoping document will be for the Landslide Mapping and Classification Phase which is now in CMER review.
- The Amphibians in Intermittent Streams Study has an approved charter and is beginning project scoping. Due to limitations in the AMP budget it will be held for at least 3 years after scoping is complete until sufficient budget and prioritization decisions allow it to commence further.
- The Wetland Management Zone Effectiveness Monitoring Study which will examine rule effectiveness on non-forested wetlands remains at the initial stages of scoping within

WetSAG. This study will be moved out 3 years on the MPS due to the AMP budget limitations.

- A new Large Woody Debris Recruitment Study is still being scoped within the RSAG with the current intention of adding it to the Phase II Westside Type F Effectiveness Monitoring Study once resources are available to move that project forward.

TFW Policy Committee Update

- In May, Policy approved recommended adjustments to the Master Project Schedule (MPS) budget that reduced the expenditures in the current biennium by \$1.911 million to respond to the unexpected funding shortfall.
- Policy approved the charter for the Eastside Timber Habitat Project Effectiveness Project (ETHEP) that is in scoping within the Science Advisory Group Eastside (SAGE).
- Policy voted to accept the Washington Forest Protection Association (WFPA) Smart Buffer Proposal Initiation (PI) and directed it to CMER for review of the draft study design. Funding to implement this project is being covered by the proponents.
- On July 14th the Small Forest Landowner Caucus initiated Stage 1 of the dispute resolution process on work related to their proposed Alternate Plan Template. The dispute is focused on their dissatisfaction with progress of a Policy work group tasked with identifying situations in the field where allowing 25 foot buffers for Type Np waters, and 50 and 75 foot buffers for Type F waters would be appropriate. According to the Rule and Board Manual, Policy has two months to try and informally work through the dispute. If that is not successful, the dispute enters Stage 2 which is by default outside mediation. Policy has 3 months in Stage 2, unless they agree by consensus to extend their discussions because they are making good progress. If this is unsuccessful, the parties will prepare position papers to bring to the Board for your decision.

If you have any questions, please feel free to contact me (mark.hicks@dnr.wa.gov, 360-902-1909).

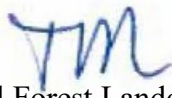


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July 28, 2020

TO: Forest Practices Board 

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

SUBJECT: Small Forest Landowner Office and Advisory Committee

Small Forest Landowner Office Advisory Committee

Since my last report, the Small Forest Landowner Office Advisory Committee held two meetings: January 22, and May 19, 2020 (via Zoom), and July 21, 2020 (via Zoom). The March 17, 2020 meeting was cancelled due to the COVID-19 outbreak. Discussions focused on the following topics:

- SFLO Program and Staff Updates;
- Update on the status of the Policy review of the proposed western Washington SFL Low Impact Template;
- Developing a “relatively low impact” harvest prescriptions definition to present to the DNR Small Forest Landowner Office (SFLO); and
- Update from Forest Practices Operations Team regarding Forest Practices Applications Date of Receipt

Definition of “Relatively Low Impact” Harvest Prescriptions

On July 21, 2020, the Small Forest Landowner Advisory Committee recommended a definition and criteria to measure “relatively low impact” to the Small Forest Landowner Office (SFLO). The SFLO understands one of the intentions of the cooperative development of guidelines for small forest landowner alternate plans, based on its reference in [WAC 222-12-0403](#), is to establish the criteria for “relatively low impact” to achieve expectations for meeting resource goals and objectives while protecting public resources.

Any proposals to change rules or technical guidance which have the potential to impact aquatic resources must be considered within the Adaptive Management Program (AMP) before presenting to the Forest Practices Board for adoption. This is the case regardless of whether they originate from the Small Forest Landowner Office through the Small Forest Landowner Advisory Committee, the Timber/Fish/Wildlife Policy Committee, Adaptive Management Program participants and even from the general public. Proposals are introduced into the AMP through a “proposal initiation.”

The relatively low impact criteria definition product submitted to the SFLO currently does not include the whole set of components that need to be included in a proposal initiation. On behalf of the SFLO, and as a part of the DNR policy caucus, we intend to prepare a proposal initiation package based on the Small Forest Landowner Advisory Committee recommendation and submit that to the Adaptive Management Program Administrator (Mark Hicks, AMPA). The Adaptive Management Program Administrator will then determine where and how to proceed with this proposal addressing relatively low impact criteria definition.

SFLO Program Updates

As we reach the end of the first year of the FY19-21 biennium, the Small Forest Landowner Office Programs have completed a number of projects and purchased several conservation easements. The Family Forest Fish Passage Program (FFFPP) corrected 19 fish passage barriers opening 67 miles of upstream fish habitat, and the Forestry Riparian Easement Program (FREP) purchased 13 easements this fiscal year. It is estimated the FFFPP will correct another 19 fish passage barriers next fiscal year totaling 38 barriers to be removed during the FY19-21 biennium. The FREP program estimates it will purchase an additional 23 easements totaling 36 conservation easements to be purchased during the FY19-21 biennium.

Long Term Applications (LTA)

There are a total of 290 approved long term applications, which is an increase of 7 approved applications since the end of the last reporting period (01/06/2020).

LTA Applications	LTA Phase 1	LTA Phase 2	TOTAL
Under Review	6	1	7
Approved	5	290	295
TOTAL	11	291	306

Upcoming Landowner Events

WSU Extension Forestry

Fall 2020 Northwest WA Online Forest Stewardship Coached Planning Courses

- Tuesday Course: September 8th – October 27th, 2020
- Thursday Course: September 17th – November 5th, 2020

WA Tree Farm Fall Forestry Webinar Series

Wednesdays, Aug 26 – Sep 9

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PNW Agroforestry Workshop

Eugene, OR

October 14-16, 2020

For more information on these landowner events go to <http://forestry.wsu.edu/>

Northwest Natural Resource Group

Workshop: Improving Forest Health and Fire Resistance in a Changing Climate – San Juan Island

At this hands-on workshop at Stillwater Ranch on San Juan Island, local and regional experts will introduce forest owners to simple, do-it-yourself strategies for thinning their forests, mitigating slash and creating value-added products.

Time & Date August 24, 2020 10am-4pm

Location: Stillwater Ranch

San Juan Island

For more information on this landowner event go to <https://www.nnrg.org/category/events/>

Washington Tree Farm Program

Fall Forestry Online Seminar: Session 1 – Timber Markets

August 26 @ 3:30 pm - 6:00 pm

For more information on this landowner event go to <https://watreefarm.org/>

Please contact me at (360) 902-1415 or tami.miketa@dnr.wa.gov if you have questions.

TM/




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August 12, 2020

MEMORANDUM

To: Forest Practices Board

From: Gary Bell, Wildlife Biologist, Forest Habitats Section 

Subject: Upland Wildlife Update

The following provides a brief status update for ongoing or pending actions pertaining to priority wildlife species in forested habitats:

Marbled Murrelet

1992: Federally listed as Threatened
1993: State listed as Threatened
1996: Federal critical habitat designated by USFWS
1997: FPB enacted State Forest Practices Rules
2017: State up-listed to Endangered

With a continued average population decline of approximately 4.9% since 2001, the status of the Marbled Murrelet in Washington has not improved since state listing in 1993. Given the 2017 state up-listing to Endangered, the Washington Department of Natural Resources (DNR), in consultation with Washington Department of Fish and Wildlife (WDFW), recommended that the Forest Practices Board (Board) support WDFW's initiation of a Marbled Murrelet forest practices rule (FP Rule) assessment involving a diverse group of stakeholders. WDFW established a Wildlife Working Group (WWG) to evaluate rule effectiveness in protecting murrelet habitat, identify weaknesses in rule language and on-the-ground implementation, consider potential habitat conservation incentives, and bring consensus recommendations regarding FP Rule improvements to the Board for their consideration.

Given the current COVID-19 pandemic, the WWG held its most recent meeting virtually on June 22, 2020. Work continued with consolidating best available science to inform an appropriate definition of Marbled Murrelet habitat based on habitat characteristics and known use by murrelets. The information will provide current knowledge on murrelet ecology and help determine if the current habitat definition identifies correct habitat attributes that provide functional murrelet habitat. Once the group identifies the recommended definition of habitat, focus will shift to evaluation of the FP Rule processes and implementation aspects that may need to be addressed based on the definition* (**may not change from what is now in FP Rule*).

WDFW continues to monitor marbled murrelet populations at-sea in both Zones 1 (Puget Sound and Strait) and Zone 2 (Washington coast). Each zone is monitored in alternating years. Zone 2 was monitored in 2019. WDFW just started the eighth year of Navy funded non-breeding season surveys in Puget Sound. The 2018/2019 at-sea survey report is now available. The NW Forest Plan Effectiveness Monitoring team is currently drafting the 25-year report, which is expected to be released sometime in 2020.

Canada Lynx

1993: State listed as Threatened
1994: FPB enacted voluntary management approach
2000: Federally listed as Threatened

2017: State up-listed to Endangered

Up-listing of the lynx from state threatened to endangered became effective on February 4, 2017. At that time, WDFW recommended to DNR (and DNR in turn to the Board) that no action be taken to add lynx to the forest practices rule designation for critical habitats (state). WDFW also recommended maintaining the voluntary protection approach for lynx. Ongoing efforts continue to identify lynx conservation opportunities in collaboration with landowners, Canadian federal and provincial entities, US Fish & Wildlife Service (USFWS), US Forest Service (USFS), conservation organizations, tribes and academic partners. The goal is to refine recovery actions that can be implemented in the near- and long-term to benefit lynx conservation in Washington.

WDFW continues screening forest practices for potential impacts to lynx and coordinating with conservation partners to maintain awareness about the importance of protecting remaining habitat in the face of wildfires that may affect lynx. WDFW also continues active participation in the *Transboundary Lynx Work Group*, exploring conservation strategies which have included a feasibility assessment for translocating lynx into the Kettle Lynx Management Zone, as well as coordination with southern British Columbia conservation partners concerning demographic support for Washington's transboundary lynx population.

The November 2017 USFWS summary of the lynx 5-year Species Status Assessment determined that regulatory improvements addressed the threat that led to the original listing of the lynx distinct population segment (DPS). However, the proposal to remove lynx from the federal list of threatened and endangered species is still pending.

Northern Spotted Owl

1988: State listed as Endangered

1990: Federally listed as Threatened

1996: FPB enacted State Forest Practices Rules

2012: USFWS designation of revised critical habitat

2016: State retention of Endangered status

Recognized as a state endangered species, the Northern Spotted Owl (NSO) population has continued to decline in recent years primarily due to ongoing competitive interactions with Barred Owls, as well as habitat changes from timber harvests, forest health issues, and wildfires. Interest remains in working to develop a programmatic Safe Harbor Agreement (SHA) for forest landowners that will provide federal assurances while protecting existing habitat and recruiting new habitat, but no additional progress has occurred lately.

In October 2019, the North Central Washington Audubon Society (NCWAS) submitted a petition to the Board regarding NSO in eastern Washington. The petition called to question the effectiveness of the FP Rules in protecting NSO habitat and ultimately requested that a moratorium be placed on logging anywhere within Spotted Owl Special Emphasis Areas (SOSEAs) in eastern Washington, reconsideration of WAC 222-10-041 which addresses policies for forest practices subject to SEPA, and confirmation that the NSO rules are being implemented appropriately. The Board considered the petition at its November 13, 2019 meeting, ultimately denying the petition for rule making related to the NSO due to lack of authority to place a moratorium on harvest. They further requested WDFW work with USFS, DNR and the associated forest landowners to provide additional information and recommendations on alternative solutions to protect NSO at the February 2020 meeting, and WDFW had planned to present information on progress-to-date at that time. However, due to impacts from the COVID-19 pandemic, the FP Board chose to delay this update until the May 2020 Board meeting.

Subsequently, the NCWAS submitted a second petition to the Board on March 25, 2020. In general, this petition follows similar rationale to the previous petition to address NSO conservation in the eastern Cascades of Washington, and requests the Board to specifically consider the following:

1. Require all aspects of WAC 222-10-041 be adhered to when considering forest practice applications.

2. Undertake a full reconsideration of the rules (WAC 222-16-080 and 222-16-085) applying to SOSEAs in Washington State.
3. Mandate long-term plans specific to each SOSEA. Approval of any application or proposed activities within a SOSEA must be predicated upon a determination of it being consistent with the plan governing it.

This petition was considered at the May 2020 FP Board meeting. The Board denied the petition and encouraged WDNR and WDFW to continue to work with landowners to develop conservation options for the area of concern, as well as develop a path forward for reviewing the success in achieving the goals of the North Blewett Pass SOSEA over the last 25 years. WDNR will report back to the Board on process, timing and resources required for such an assessment at the August 2020 meeting.

Fisher

1998: State listed as Endangered

2016: Federal status: Final decision for west coast DPS - not warranted for listing (April 2016)

2018: Northern District Court of California ruling on 2017 USFWS fisher ESA listing withdrawal

2019: Federal publication of Candidate Notice of Review (October), including fisher

Fisher reintroductions into Washington have been completed as of January 2020 by WDFW and its partners. A total of 255 fishers have been reintroduced, including 90 in Olympic National Park (2008-2010), and 165 in other federal lands within the southern and northern Cascade Mountains. A total of 81 fishers have now been released at Mount Rainier National Park and the Gifford Pinchot National Forest since December 2015. And, since December 2018, 84 fishers have been translocated from the Calgary Zoo and released into the North Cascades Recovery Area.

Combined with the Candidate Conservation Agreement with Assurances (CCAA) program administered by WDFW, the reintroductions are assisting the species return to the state. Non-federal landowners can continue to enroll in the CCAA and receive federal regulatory assurances if the fisher becomes listed under the ESA in the future. By signing on to the CCAA, landowners agree to follow basic conservation measures that protect fishers that may use private lands. To date, 60 landowners and 3,318,337 acres of non-federal forest lands are enrolled in the CCAA.

As mentioned in the May 2020 update, the USFWS published a revised proposed rule for listing fishers in November 2019 which replaces the 2014 proposed rule. As stipulated in the September 2018 court decision, USFWS was to deliver a final rule to the Federal Register by April 25, 2020. The final rule listing fishers in southern Oregon, northern California, and the Sierra Nevada as a threatened species under the ESA was published on May 15, 2020, excluding fishers in Washington state.

Future Updates to the Board

The forest practices rules require that when a species is listed by the Washington Fish and Wildlife Commission and/or the U.S. Secretary of the Interior or Commerce, WDNR consults with WDFW and makes a recommendation to the Board as to whether protection is needed under the Critical Habitat (State) rule (WAC 222-16-080). WDFW and WDNR continue coordinating to anticipate federal actions and to respond to changes in the status of any given species.

cc: Hannah Anderson (WDFW)
Taylor Cotten (WDFW)
Wendy Connally (WDFW)
Terra Rentz (WDFW)
Marc Engel (DNR)
Colleen Granberg (DNR)
Joseph Shramek (DNR)