

Minutes of the Natural Heritage Advisory Council Meeting

January 14, 2009

Office Building 2, Room SLO4

1115 Washington Street SE

Olympia, Washington

9:45 a.m. – 2:50 p.m.

Approved: March 11, 2009

Voting members present: Alan Black, Peter Dunwiddie, Janelle Downs, Cherie Kearney, Bob Meier; (by telephone as noted below: Cheryl Schultz, Merrill Peterson, Wade Troutman). Ex-Officio members present: Stephen Saunders for the Department of Natural Resources, Elizabeth Rodrick for the Washington Department of Fish and Wildlife, Jim Eychaner for the Recreation and Conservation Office, Jeanne Koenings for the Department of Ecology (by phone)

Members absent: Roger Hoesterey, Rob Fimbel for the State Parks and Recreation Commission

DNR staff present: Pene Speaks, John Gamon, Curt Pavola, Anna Jones, Heather Kapust, Birdie Davenport, Robert Dengel, Joe Arnett, DeAnn Johnigk, David Wilderman, Princess Jackson-Smith, Michele Zukerberg

I. Introductions

Chair Black called the meeting to order at 9:45 a.m. and participants introduced themselves. Peter Dunwiddie is replacing Elizabeth Gray on the Council in an at-large position. There being no quorum present, the order of the agenda, including approval of Minutes will be changed to allow conference call participation at 10:00 a.m.

II. Minutes of the October 22, and November 18, 2008 Meetings

During the 10:00 a.m. conference call, a change in the Minutes was requested to remove the word "groundswell." It was moved by Kearney and seconded by Downs that the Minutes of the October, 2008, Meeting of the Council be approved as amended. The motion carried with Troutman and Peterson voting aye via telephone, and Dunwiddie abstaining. It was then moved by Meier and seconded by Peterson that the Minutes of the November 18, 2008, Meeting of the Council be approved as distributed. The motion carried, with Troutman and Peterson voting aye via telephone, and Dunwiddie abstaining.

III. Old Business

Progress on Past Recommendations: Acquisitions Report

Kapust reported that three acquisitions have closed: 1) Stavis Natural Resources Conservation Area (NRCA), with 9.5 acres containing 50 year old Douglas-fir, surrounded by NRCA lands previously acquired; 2) also at Stavis, an undeveloped forested parcel of 2.44 acres in the SW portion of the NRCA; 3) Shumocher Creek NAP, 5.07 acres, and undeveloped building lot bounded by NAP lands on the north, east, and west, reducing the exterior boundary's interface with private property.

Dabob Bay Proposed Expansion Update

Speaks reminded the Council of the discussion at the October meeting. There was a public meeting October 23, 2008, and the comment period ended October 31, 2008. The Commissioner of Public Lands, Doug Sutherland, requested that staff follow-up on a couple of the comments from the public. Staff met last week with representatives from Jefferson County to discuss the implementation of their Critical Areas Ordinance. DNR staff clarified that the proposed natural area boundary is an administrative line showing

lands eligible for inclusion, and private lands are not in a natural area unless we purchase them. The county's ordinance suggests a regulatory effect from the proposed boundary that DNR does not intend. The county is responding in writing to the questions raised.

Speaks said that at the hearing, potential economic impacts were voiced as a concern, and staff were asked to do an economic study. Speaks said staff are putting together general comments, but DNR does not have the information that would be required to do an analysis.

Some neighboring landowners who have property east and south of the proposed boundary have asked for the boundary to include them. For the public hearing, the Council's suggested addition to the proposed boundary in the northwest corner was included, but the addition in the northeast corner was not. The decision about the final proposed boundary will go to the new Commissioner of Public Lands, Peter Goldmark.

Saunders said that in his briefing with the new Commissioner about all programs within the Asset Management and Protection Division, he used Dabob/Tarboo as an example to make Goldmark aware of the issue. Saunders said that Goldmark's response was to let science drive the decision, not politics. They also discussed the comments, indicating a need for more hearings and workshops. Saunders thought that if the northeast corner were to be added, staff would need to relook at the area to determine natural area status.

There was discussion about the need to review county Critical Area Ordinances that may specifically address NAPs and NRCAs.

Meier thanked staff for the follow-up and said if the land is devalued, it would be detrimental to landowners. He also recommended watching for IBAs in ordinances for regulations from counties. Speaks agreed. Gamon indicated the search needs to be thorough and to not just rely on a word search for "natural area."

There was discussion about the Growth Management Act (GMA) and zoning issues. Staff need to become more aware and prepared for questions at public meetings about GMA and critical area ordinances.

Speaks said that staff will let the Council know when we have a boundary decision.

Natural Areas Association Conference Update

Pavola said that there is a Field Trip Committee meeting after this NHAC meeting. The call for papers is the first public phase, and will be mailed in two weeks. We are looking for ideas for symposia, etc. The Program Committee has not found a Program Committee Chair yet. We need someone in the next month. DNR staff, with NAA Director Deb Kraus, will choose the registration company this month. The dates of the 2009 NAA Conference are September 15 – 18, 2009. The Council will receive a "Save the Date" reminder. There may be a salmon bake on the first night at the conference. Speakers are being invited, but some we would have liked are very expensive. Robert Pyle might be a speaker or do a workshop on the natural features of Washington. George Devoki is another speaker we are approaching. There were a few speaker suggestions from the Council.

Speaks asked Peterson and Schultz, especially, to encourage student papers and posters. There will be juried presentations.

Klickitat Expansion Update

[Jeanne Koenings still present via phone.]

Speaks said that Klickitat Canyon NRCA has rare plants in the west and sand hill cranes in the north. There was a hearing on the boundary expansion in Yakima on December 9, 2008. The Glenwood community in Klickitat County uses the area.

Kearney asked if we are still looking at potential expansion to the north. Speaks said yes. Saunders said that DNR might consider a tiered approach (NAP/NRCA/Working Forest). Some discussions about land acquisitions in the area are underway. DNR will continue to work with Columbia Land Trust regarding potential acquisitions. Kearney commented that this is another community with public use concerns.

IV. New Business

Chehalis River Surge Plain NAP Management Plan

Davenport gave a brief history of the Chehalis River Surge Plain Management Plan. She indicated that the major change since the June 2008 presentation to the Council was the addition of a full weed management plan to the appendix. There has been public outreach through Grays Harbor County, and at a public meeting where a draft was presented December 1, 2008. The plan now specifically allows hunting on the site, except in public areas. Allowing hunting on natural areas is generally decided on a case-by-case basis, so this is not setting a precedent. There is a policy discussion in the plan. The Council recommended summarizing comments rather than having verbatim quotations in the plan.

Davenport said that there is a timeline for bringing the plan to the legislature. DNR is about to complete the transfer of a county road in the northwestern section. The transfer is awaiting the Commissioner of Public Land's signature. Staff will remove the fill from Preachers Slough and replace it with a bridge, utilizing grant funding for most of the cost. Speaks said we have money for acquisition at the site, but can't use it until the plan is approved and sent to the Legislature.

Black suggested a modification to change bullets to a summary narration.

Meier said that he lives in Montesano, and fishes and hikes there. He said there have been years of conflict over the future of this site and complimented Davenport on her work. He said that most of the area is not easily accessible. River access is a big issue for boating, canoes, and kayaks. Providing the public access has really improved our image.

Black suggested a motion. Meier moved and Troutman seconded that the Chehalis River Surge Plain Management Plan be approved as presented with changes noted. The motion carried unanimously with no abstentions.

Commissioner Introduction

The new Commissioner of Public Lands was unable to join the meeting. His swearing in ceremony is today, with a reception in the NRB Rotunda at 3:00 p.m. Council members were invited to stay for the reception.

June Meeting Agenda Item

Topics for the June meeting were suggested, with some discussion. Zukerberg announced that the initial draft of the Stavis Natural Resources Conservation Area Plan is done, with community review starting soon.

Kearney suggested learning about land use differences: working forest, tax differences, private use, public use, etc. For example, when looking at a site, it is hard for Council members to understand the various points of view in context. Black said that discussion could come under a general heading of “policy” as an agenda item. Other items suggested included hunting, public access, tiered designations, working farms as well as forests as buffer areas, some concerns on impact to agricultural land from conservation lands.

Black suggested that a list be circulated and someone could take the lead on a topic, providing the outline, defining the issue, and starting the discussion.

Gamon suggested that, at times, we need a broader umbrella, e.g., where do natural areas fit in the spectrum of land use designations? Meier requested a review of what our charge is in guiding principles in defining a boundary or buffer. There are trade-offs if the boundary is bigger. What is the right amount? So a discussion topic would be: What are the definitions, principles, policies, etc.? There was further discussion of this, using Dabob as an example, including delimitations, differentiation of tiers (NAP, NRCA, buffers), acknowledging scientific method of gathering information. Expanding the topic more would include the history and purpose of the NRCA designation. The conclusion reached was that there is a need for a general review of the authorizing statutes and the decision-making process, which includes the scientific data and stating what other influences might be involved.

V. Agency Reports

Department of Ecology

Koenings reported that Ecology had four National Coastal Wetland Conservation grants: Lily Point, Dutcher Point, Lower Eld Inlet, and Twin Rivers. The Coastal and Estuarine Land Conservation Program (CELCP – NOAA) grants were on hold until a Federal budget has been passed. The Senate Omnibus Lands bill had \$60 million in it for CELCP, but the final number awaits a budget. If Ecology receives the funds, they will go to the Kiket Island Addition to Deception Pass State Park, the Dutcher Cove – Sewell Acquisition, and the Johns Creek Estuary Acquisition. The next CELCP round for FY2010 is at the end of March. If anyone is applying, get the applications to Koenings by March 11.

Recreation and Conservation Office

Eychaner said that the RCO had made a budget request for the Washington Wildlife and Recreation Program (WWRP) at \$100 million. The Governor’s budget for WWRP came out at \$50 million. RCO anticipates a likely decline in motor vehicle fuel tax collections with the possible result of lower appropriations for boating and NOVA grant programs, as well as the possibility of lower appropriations for the Aquatic Lands Enhancement Account (ALEA) grants.

State Parks and Recreation Commission – not available

Department of Fish and Wildlife

Rodrick reported that for WDFW the budget cuts are severe, the agency is losing 170 positions (20% of the agency) and Wildlife Diversity will lose 3 FTE’s [Full Time Equivalents] next biennium. One of those positions was responsible for working on the wildlife action plans (as part of the Comprehensive Wildlife Conservation Strategy). WDFW will continue this activity by merging planning staff across divisions into one team that will work on both the Ecoregional Wildlife Action Plans and the Lands Habitat Conservation Plan.

Jeff Koenings has left the agency and Phil Anderson was appointed the Interim Director. There may be other big changes coming. The Fish and Wildlife Commission is appointed by the Governor and they

appoint the agency director. However, the commission is on the list of commissions that could be eliminated by the Governor. If this happens, the director would be appointed directly by the Governor.

Department of Natural Resources

Speaks indicated that there will be a decrease in funding for DNR, with most DNR budget requests not being funded. There was an \$11 million decrease in general funds in the Governor's budget for the department. There will be a definite impact on Natural Areas and Natural Heritage. The department's management funds (trust land revenues) is presently decreased by \$16 million.

DNR has a new Commissioner of Public Lands as of today. Commissioner Goldmark's administration will have a more "typical" management structure, with a Supervisor and Deputies. For the Supervisor, for the day-to-day operations, we will have Lenny Young, formerly the Division Manager for the Forest Practices Division. More changes include a new Communications head, Aaron Toso. We have a new legislative liaison, Heath Packard, who was a lobbyist for Audubon, and comes to us from RCO.

Saunders said the budget from Bob Van Schoorl and reports from the Office of Financial Management (OFM) are not good, that the downward trend continues. If the WWRP funding level is at \$100 million, 11 of the 14 proposals DNR submitted would be funded; if it is at \$50 million, only 3 would be funded. Speaks said the Natural Areas program requested \$3.1 million, but the Governor's budget had \$1.5 million for capital projects. For Road Maintenance and Abandonment Plans (RMAPs) the budget request was for \$1.9 million; the Governor's budget has \$1.0 million. Pavola indicated that the Governor is creating a stimulus package for April 1 for projects that are "shovel ready" – contracted to do local work. Eychaner said that is "on the ground" work, not acquisitions. Saunders said that DNR is also looking at the federal stimulus package for Washington Conservation Corps (WCC) projects, especially with State Parks, Ecology and others as partners.

VI. Natural Areas Program Report

Pavola asked the council to review the format for the routine written program report. With this report, each item was given more space to "tell the story" of the project, including background, goals and status or outcome. The goal is to provide more context to the Council about each item reported, not to simply present a list of active projects. Feedback on this type of report would be helpful and will help shape future reports. Several Council members noted they liked the new format.

Regarding West Columbia Falls Proposed NAP, Kearney said it was curious to have two NAPs next to each other. Speaks said that the Governor's budget includes \$97 million for Trust Land Transfer and the site was on it.

VII. Natural Heritage Program Report

Gamon used a PowerPoint presentation to give more information on a couple of projects: the Natural Heritage Plan, and shrub-steppe inventory.

Natural Heritage Plan: The Council had agreed to let Chair Black give the final review approval. The plan is now ready for the final graphics. We will need final approval from the new Commissioner. The 2009 plan (8 pages) will be delivered with the 2007 plan, which is more comprehensive.

Shrub-Steppe Inventory: Speaks said that shrub-steppe is more than 50% converted. Downs said there is more likely only 20% left. It has mostly been converted to agriculture. Natural Heritage staff have been inventorying the roughly 434,000 acres of DNR-managed shrub-steppe, having completed approximately 50% of the inventory for overall ecological condition. Additional data will ultimately be gathered,

including for rare species. There have been conversations with other land owners, e.g., Bureau of Land Management (BLM), WDFW, and The Nature Conservancy.

Gamon also talked about ReGAP (a vertebrate distribution modeling project), and a vegetation classification project for the National Park Service

LandScope America is now a live website in a beta phase. They are actively looking for input. The Council is invited to call Gamon, Janice Miller, or Jack McMillen for a guided tour. They need comment on content, functionality and tone.

VII. Other Business

There being no further business, the meeting was adjourned at 2:50 p.m.