

**10.26.09 Meeting Summary
Ramada Inn, Lacey**

**FOREST PRACTICES BOARD POLICY WORKING GROUP
WASHINGTON STATE NORTHERN SPOTTED OWL**

Members Present

Ken Berg	USFW
Shawn Cantrell	Seattle Audubon
Mark Doumit	WFPA
Kevin Godbout	Weyerhaeuser
Don Halabisky	Sierra Club
Chris Lipton	Longview Timber
Robert Meier	Rayonier
Vic Musselman	WFFA
Miguel Perez-Gibson	Audubon
Tom Robinson	WSAC
Paula Swedeen	Seattle Audubon (via phone)
Chuck Turley	DNR
David Whipple	WDFW

Also Present

Lois Schwennesen	Schwennesen & Assoc.
Jennifer Cook	Schwennesen & Assoc.
Maryka Paquette	Schwennesen & Assoc.
Martha Wehling	Attorney General's Office
Kara Whittaker	WFLC
Cindy Mitchell	WFPA
Jeff Kozma	Yakima Nation

Updates

Bob Meier described the joint application between Rayonier and Seattle Audubon for Section 6 funding to support the voluntary incentives program. Due to the timing of the application process, acceptance likely will be one year out. Bob also proposed the Group send a letter to Robyn Thorson, USFW Pacific Regional Director, asking for support for enhancement of spotted owls in WA through: a) funding support for Section 6 acquisition and enhancement, b) fiscal contributions to the Washington State Habitat Conservation Easement Program, c) funding for east side restoration and forest health operations such as the Group's proposed pilot project, d) budget provisions for development and restoration of habitat on private west side lands for flight space thinning, rotation extensions and other silvicultural treatments, and e) technical support funds for private landowners implementing the above programs. The Group supported this letter.

Ken Berg thanked the conservation and forest products caucuses for their joint initiatives. He noted the competitiveness of the Section 6 funding and the required 25% match. As the program's focus is on land acquisition, not habitat enhancement, Ken stated it would be important that DNR and DWF sponsor the project as a high priority. As Robyn Thorson will have limited opportunities before the end of the year to provide input on the federal budget, the Group agreed to develop estimates of initial projected costs as soon as possible to submit to USFWS.

Kevin Godbout commented on the SFI Non Conformance Complaint that the Sierra Club filed against Weyerhaeuser with regards to the Strategic Forestry Initiative (SFI) certification. He noted that the Sierra Club is represented on the Group and the lawsuit compromises Group's solidarity and good will. Shawn Cantrell said he had a similar concern about action taken by the WFPA which he discussed with Mark Doumit. Lois Schwennesen asked Group members to be active with their constituents in defending this Groups' effort to build understanding and relationships.

Strategic Goals

David Whipple discussed his efforts to develop a proposed description of what a strategic contribution would entail. He was not able to develop one due to the layers and complexity he encountered in working with technical staff. Pointing to the need for a scientific assessment, he

noted that the overarching goal in the Charter reflects the fact that the 1996 Rules adopting the circle approach may not have achieved what was intended. David asked for the Group's help to define the strategic contribution of the incentives approach. Members again shared differing perspectives on what constitutes a "strategic contribution" under the mandate of the Charter. Opinions ranged from establishing specific target numbers of viable spotted owls or acreage under protection, ensuring a funding flow to implement an incentives program, regulatory streamlining to speed up results, and having a scientific analysis of the current status of the spotted owl in WA. Chris Lipton noted the Group's agreed-upon measures of success include stable or increasing numbers of spotted owls.

Miguel Perez-Gibson stated that the work to date has been focused more on how to achieve goals than where to achieve goals. Shawn Cantrell added that because the Group discussed this a few times without success he was pleased that the State representatives agreed to develop a proposal for consideration; it is telling that DFW could not do it, given the technical assistance David has available. Chuck Turley expressed DNR's view that establishing metric measures will be difficult, but important. Otherwise the Group is developing a toolbox without a purpose. Chuck added that the State needs to be able to recognize when and how measures have been achieved.

Mark Doumit felt the language agreed upon in the June Strawman was reasonably specific, including three key criteria to identify the strategic landscapes: a) lands in timber stands contiguous to spotted owl habitat, b) areas that can currently or with restoration, support spotted owls (nesting, roosting, or foraging habitat) and c) suitable habitat that is highly susceptible to fire and disease that could help create functional landscapes. The Group revisited its general goals and approach to date, including preserving or restoring habitat on lands that meet the above criteria, achieving a net gain of owls on private lands, and developing voluntary agreements that support or create, on a site by site basis, the factors most valuable for spotted owl recovery.

Tom Robinson noted that in his view, there is no mechanism under current law to require the creation of habitat, and anything the Group recommends would require landowners' consent. If there was more trust among members that gathering metric information would not lead to more regulation, we could gather desired habitat into a management plan that encourages owl population growth and evaluate necessary acreage, which would be the metric of a strategic goal. Over time, the amount of funding would lead to the number of acres under protection, which leads to number of breeding areas, which leads to the number of spotted owls. Tom suggested the Group seek to agree on relative "this is better than that" factors to identify important lands (strategic sites). DNR may then be able to take those factors and develop a list of proposed lands and/or ownership.

Shawn Cantrell noted that the conservation caucus has a difference of opinion about the State having authority to regulate habitat. Separately, Shawn added that defining a number of acres that would constitute a strategic contribution likely will be important to funders so that there would be a benchmark for judging success, and to know when enough is enough. Paula Swedeen addressed landowner's fears over a science-based set of research goals, a standard operating procedure in conservation efforts. She felt such goals would clarify how to protect public resources and address the concern over where spotted owls are being lost. Paula emphasized that both State and federal law require protection of the northern spotted owl, which in her view means habitat must also be protected. Paula noted her desire to apply the least amount of regulation possible. She believed landowners' willingness to collaborate should lessen the need, and therefore their fear, of further regulation.

Mark Doumit shared success stories from conservation programs that did not have specific "measurables". Mark argued that the Group should begin action now in known locations to make

real progress and establish a cash flow. He felt sticking to the incentives plan for 10-15 years would show tangible improvements. Kevin Godbout seconded this approach and noted that recovery plans involve a constant improvement process. He saw no need to lock down science-based metrics in the application process. Once a proposal is awarded funding, the criteria for success will be defined. Industry needs monetary incentives to act, but then can act quickly.

Ken Berg stated that a quantifiable goal is valuable and noted the key question is whether the “critical habitat” designation applies to private lands. While “critical habitat” in 1992 was only on Federal lands, USFWS may clarify “critical habitat” by including nonfederal lands in the new revised critical habitat proposal if the Recovery Plan revision indicates they are essential for owl recovery. Then the balance between incentives and regulation may be established.

Scientific Assessment

This earlier consensus item (Action # 6) related to obtaining science-based answers to scientific questions agreed upon by the Group will not be pursued due to the number of remaining meetings and the lack of an approved Federal Recovery Plan. Ken Berg advised the Group to avoid duplication and noted it would not be cost effective for the Group to begin to analyze gaps in information or try to predict work underway on the Federal level. Questioned about how the Group may support the Federal efforts, Ken suggested it would be helpful to receive an assessment of SOSEA efficacy in facilitation of spotted owl recovery.

Action Plan: Landowner Outreach

Mark Doumit described, on behalf of the forest products caucus, an expansion of concepts developed September 30 and October 5, which they believed incorporated the areas of common ground around the table. After review, discussion, and clarifying questions the Group agreed the proposal offered a substantial base to build upon. Chuck Turley thanked the caucus for their effort to define a “strategic contribution” and noted the proposal has an initial three-year timeframe, after which the areas deemed to be protected under the Recovery Plan can be integrated. Mark suggested an annual review and a review when the Federal guidelines and protocols come into play.

Areas needing more discussion to arrive at an agreed approach include barred owl control, elimination or modification of the SOSEA model of spotted owl protection, the perceived regulatory gap for owls outside of SOSEAs, and a quantified number (or percentage) to serve as an estimate of landowners expected to opt in to an incentives program. The conservation caucus is concerned about possible repercussions to the owl population from landowners who opt out.

Tom Robinson offered to estimate what funds would be needed for an incentives program and Shawn Cantrell affirmed that if this program will be highly successful, it will be less important to focus on a backstop. In the meantime, the conservation caucus seeks reassurances that the Group will help protect vulnerable sites until funding is available.

After individual caucuses met separately to consider their positions, the conservation caucus expressed their openness to the proposal pending further conversations with their constituents. They asked the forest products caucus to provide good faith estimates of expected participation levels to an opt-in incentives program, to which the forest products caucus agreed.

The meeting closed with agreement that all caucuses will consider the action proposal for landowner outreach/ voluntary agreements as revised today, and be prepared to discuss in more detail at tomorrow’s meeting. The goal is to collectively develop the framework of the approach.

Meeting Adjourned