

**10.27.09 Meeting Summary
Ramada Inn, Lacey**

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

Members Present

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.
Maryka Paquette	Schwennesen & Assoc.
Martha Wehling	Attorney General's Office
Kara Whittaker	WFLC
Cindy Mitchell	WFPA
Anna Jackson	WDFW
Jeff Kozma	Yakima tribe
Lenny Young	DNR
Jennifer Cook	Schwennesen & Assoc.
<u>Absent</u>	
Ken Berg	USFWS

Updates

Robert Meier distributed a revised version of the letter to USFW, modified to reflect input received October 26. Members will check with their constituencies and inform Lois Schwennesen before the letter is mailed.

Lois will present her report to the Forest Practices Board (Board) on November 10. Group members are encouraged to attend the meeting, as action on the Group's recommendations related to the decertification process is expected. The east side pilot project for forest thinning, owl habitat and fire and disease control (CR101) is in the hands of Chris Lipton, Paula Swedeen, Chuck Turley, and Patricia Anderson. It is also scheduled for Forest Practices Board action on November 10.

Progress Summary

On behalf of the conservation caucus, Shawn Cantrell presented some thoughts on the common ground that the Group has found in the course of these meetings. He noted apparent areas of agreement within the group: a) a framework for voluntary incentives aimed at maintaining a viable spotted owl population, b) the need for understanding and action on barred owl effects on spotted owls, c) two pilot projects related to habitat development, d) the concept of a flagship incentives project, and e) a framework for addressing decertification during a transition period.

Shawn further summarized his caucus's view of areas apparently without clear agreement: a) there is not a shared certainty that meaningful funding sources will be pursued, b) there is not a shared understanding of the criteria to be used for prioritization (this topic was later worked on and placed on a list of details to complete this year), c) there is not a shared understanding of the likelihood that there are unprotected spotted owls on private lands, d) there is not a shared vision of the value of a science process, and e) there is not a shared certainty that voluntary measures alone will result in strategic contributions to a viable population of spotted owls.

Members generally concurred with Shawn's overview of these and other factors, and appreciated his statement that the long term vision of what WA State's forestry might look like was more

similar than not. The Group also discussed the opportunity to promote a new paradigm that does not rely on circles and Spotted Owl Special Emphasis Areas (SOSEAs), and agreed that figuring that out will need to wait until a “Phase II”. Tom Robinson described the shift as moving away from circle management in the SOSEAs to a broader landscape approach, and that the State should consider the primacy of federal authority to establish Endangered Species Act (ESA) regulations. Mark Doumit pointed out that a shared 100-300 year vision is considerable progress and noted the Group’s current work may already be shifting the paradigm from a regulatory to an incentive-based approach.

Chuck Turley presented three clear objectives from the Oregon Programmatic Safe Harbor Agreement of July 2009: increase the number of spotted owls, increase sites of spotted owl presence, and increase the number of landowners willing to participate in preserving the spotted owl. DNR needs objectives like these to measure success. Other Group members stated they believed these objectives are in the Group’s proposal as part of the consensus package.

The Group reviewed the different perspectives held by Group members about how to move the work forward: act now with voluntary agreements or do more science and analysis. As the Charter emphasizes consensus recommendations the Group decided to concentrate its remaining time on areas of agreement and finalize the substance for the Board report. Miguel Perez-Gibson gave credit to the fact that the Group has tried to work through various clauses of contention, but that a consensus cannot be forced.

Scientific Assessment

The need for a scientific reassessment of the status of the spotted owl in WA was raised again. Shawn Cantrell voiced a concern that the proposal is more opportunistic than strategic and therefore may not target the spotted owl conservation goals desired. Shawn added that closing science gaps could possibly discount broad areas of land and enable clearer priorities. Miguel Perez-Gibson raised the need to fill the science gaps since the Federal process isn’t looking at nonfederal lands.

Mark Doumit sees more risk to the owl from the barred owl problem, gaps in funding sources and in time lost delaying development of voluntary agreements than in lack of science. Paula Swedeen added that much has changed since the barred owl became a problem. She suggested that modeling could be done with existing data to clarify the situation without a great investment of time and resources. She agreed to prepare a prospectus and budget for the Group to consider.

Identifying High Priority Lands

Tom Robinson shared a list of potential parameters for ranking sites according to specific qualities or metrics, with the option to weight the parameters. The concept would provide a system to identify how best to allot available funds. The approach is based identifying what factors are more important than other factors. During thorough discussion, the Group eliminated some draft elements, agreed with most, and made suggestions to revise others. The range of financial tools to apply to the incentives approach was also outlined.

The Group agreed to discuss the approach with their constituents prior to the next meeting, and Lois Schwennesen will prepare a revised matrix for further collaborative development.

Action Plan - Landowner Outreach

On behalf of the conservation caucus and its constituents, Shawn Cantrell expressed general support for the proposed Action Plan. In addition, he requested that something be included to address the possibility that significant numbers of landowners outside of SOSEAs might choose

not to opt in to a voluntary incentives program, potentially leaving northern spotted owl populations unprotected. The group discussed, but did not reach consensus on, the need for such a provision or a proposal that would supply such a provision if a need arose for it. However, the forest products caucus agreed to consider ways to obtain and share information about the level of interest and possible metrics to use as target goals.

Shawn Cantrell asked for Group input on the concept of purchasing options from landowners to hold land and avoid harvest for a few years at a certain rate per acre of habitat per year while the Group implements the voluntary agreements envisioned in the Action Plan. The forest products caucus responded favorably to the idea of a short-term option. The proposal may have potential longer term value also by increasing landowner participation in the spotted owl recovery program and keeping options open while funds are secured.

Vic Musselman addressed the range of market values that exist and emphasized that negotiation would need to be made on a one-on-one basis. He noted that he could provide indices of market values in these areas and could provide those to the Group if anyone is interested. Kevin Godbout mentioned that this proposal may not entice landowners already committed to harvest, but could attract many landowners.

Shawn Cantrell stressed that significant participation is critical and again raised the need for a backstop structure if in fact the majority of landowners opt out. He proposed a combination of a programmatic Habitat Conservation Program (HCP) and a programmatic Safe Harbor Agreement (SHA). Paula Swedeen added that the investment in a Statewide combined program would benefit both the landowner and the State. Kevin Godbout objected that a plan containing threats of a regulatory backstop if one does not participate is no longer voluntary, and that the Group's challenge is to focus on incentives. Bob Meyer objected to a Statewide HCP program. In his experience an exhaustive effort to create an HCP came at great cost and loss of value to the land.

There is not a Group consensus to support a Statewide HCP, but members will continue work on the voluntary incentives approach and on a system to identify high priority lands. The Group acknowledged that if funds are limited and voluntary landowners are plentiful, it would be important both to have something like an options program to stretch dollars in the short term, but also is a system to identify where the funds should go for the greatest conservation benefit.

Recommendations to the Forest Practices Board

The Group reviewed areas agreed to, areas without clear agreement, and elements that could be completed by the end of December. Members expressed certainty that funding sources would be pursued and consensus on a draft system to identify the most valuable lands for owl conservation.

The Group confirmed its decision to recommend the Board continue its current decertification process, with an annual review, through a transition period. The Group will support the east and west side pilot projects, one of which is scheduled for Board action November 10. Lastly, the Group agreed to ask the Board for additional time to work through December to complete the high priority land identification system, details of the Action Plan and legislative initiatives.

Lois Schwennesen received additional input about the contents of the November report. She will develop a draft, distribute to Group members, and gather more feedback as the report is finalized.

Meeting Adjourned