

Executive Summary

In 2006, Washington State completed the [Forest Practices Habitat Conservation Plan](#) (Forest Practices HCP) (DNR 2005) with the goal of obtaining Incidental Take Permits (ITPs) from the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) (collectively, “the Services”). Implementation of the Forest Practices HCP protects aquatic and riparian-dependent species on more than 9 million acres of state and private forestlands. That is, the State and private forest landowners are committed to protect certain fish and certain amphibians that live in or depend on streams, lakes, and wetlands and the forests adjacent to them. This multi-stakeholder effort addressed the habitat needs of all covered aquatic species, including certain fish species that are federally designated as “threatened” or “endangered”. The Services accepted the Forest Practices HCP and issued ITPs to Washington State under the authority of the Endangered Species Act. The ITPs provide assurances for Washington’s state and private forest landowners that, when conducting activities in compliance with Forest Practices Rules, they do so with legal certainty of meeting species protection obligations required under the Act.

As a part of the Forest Practices HCP implementing agreement, the State submits to the Services an annual report describing implementation activities. This, the seventh annual report, covers the period from July 1, 2012 to June 30, 2013.

July 2012 – June 2013 Activities and Accomplishments

General

Work continued to implement the May 2012 Forest Practices HCP settlement agreement (see 2012 Forest Practices HCP Annual Report). The purpose of the settlement agreement was to establish a renewed commitment by all parties to collaboration, a streamlined decision making process for the Adaptive Management Program, a more rigorous schedule for Adaptive Management Program scientific research, and a stronger plan for ensuring that the Adaptive Management Program is adequately funded. To be implemented, some provisions of the Settlement Agreement go through the Adaptive Management Program’s proposal process, with agreements by all caucuses. During Fiscal Year (FY) 2013 (July 1, 2012 to June 30, 2013), Timber, Fish, and Wildlife (TFW) Policy Committee agreed on draft changes in Adaptive Management Program rule language and to Board Manual Guidelines for the Adaptive Management Program. The Forest Practices Board (Board) agreed with the draft rule language and is expected to approve and adopt the final rules at their August 2013 Board meeting. The proposed rules add three new caucuses to the original set of six caucuses in the TFW Policy Committee, decrease the timeframe for TFW Policy and Cooperative Monitoring and Research Committee (CMER) decisions by reducing the dispute resolution process time lines, and require a CMER master project schedule of research and monitoring projects with periodic check-ins with the Forest Practices Board.

Forest Practices Board

The Board adopted rules related to land use conversion and forest practices applications and will consider three rules for adoption at the August 13, 2013 Board Meeting.

- Land Use Conversion and Forest Practices Applications – The Board adopted rule amendments in November 2012 that eliminated all reference to “lands platted after January 1, 1960”; eliminated the six-year moratorium on development when landowners have not stated their intention to convert their forest land to other uses; and increased the duration of a Forest Practices Application or notification from two to three years.
- Forest Practices Hydraulic Projects – Second Engrossed Substitute Senate Bill 6406 directed the Board to incorporate the fish protection standards from chapter 77.55 RCW, currently administered by Washington Department of Fish and Wildlife and commonly known as the Hydraulic Code Rules, into the forest practices rules. The proposed rules have been drafted and will be considered for adoption in August 2013. When these rules are in effect, hydraulic project proposals associated with forest practices will be included in FPAs and not require separate hydraulic project approvals.
- Forest Biomass – Proposed rules were drafted for minor forest practices rule clarification which included adding a definition of “forest biomass” and clarifying the existing definition of “forest practice”. The proposed rules will be considered for adoption in August 2013.
- Adaptive Management Program Reform – In May 2013, the Board initiated rulemaking pursuant to the Forest Practices HCP Settlement Agreement (May 2012) between the Forest and Fish Conservation Caucus, the State of Washington, and the Washington Forest Protection Association. The Board will consider the proposed rules for adoption in August 2013.

Adaptive Management Program

The Forest Practices Adaptive Management Program completed research projects and draft reports, approved a type N water strategy, agreed on draft changes to the Adaptive Management Program rule language and to Board Manual Guidelines to help address the 2012 Forest Practices HCP Settlement Agreement, and is developing a study design using the method suggested by the LEAN process conducted in 2012.

- Two CMER projects were completed, approved by CMER and considered for action by the TFW Policy Committee during the reporting period. The two projects included a mass wasting effectiveness monitoring project which examined the landslide response to the December 2007 storm in Southwestern Washington (aka Post-Mortem report) and an extensive riparian status and trends monitoring program regarding stream temperature phase I: eastside type F/S monitoring project final report.
- The TFW Policy Committee approved a type N water strategy. The purpose of the strategy was to examine the effectiveness of the type N water forest practices rules in protecting water quality. The TFW policy Committee is currently in discussion about implementation issues associated with the Type N water strategy.
- Three draft reports were approved by CMER to go through Independent Scientific Peer Review (ISPR): Effectiveness of riparian management zone prescriptions in protecting and maintaining shade and water temperature in forested streams of Eastern Washington;

Stream-associated amphibian response to manipulation of forest canopy shading, and; review and synthesis of literature on tailed frogs (genus *ascaphus*) with special reference to managed landscapes.

- In FY 2012, the Adaptive Management Program conducted a LEAN process on CMER's approach to developing, reviewing, and approving scoping documents and study designs. The LEAN process led to an agreement to pilot two to three studies on its project list using the method developed through the process. CMER is currently developing a study design for the eastside type N buffer effectiveness project using the approach developed through the LEAN review (the first study design with the LEAN review).
- In the spring of 2012, the State negotiated a Settlement Agreement with the Forests and Fish Conservation Caucus and the Washington Forest Protection Association concerning the 2006 *Forest Practices Habitat Conservation Plan*, as reported in the FY 2012 Forest Practices HCP annual report. During FY2013, TFW Policy Committee agreed on draft changes in Adaptive Management Program rule language and to Board Manual Guidelines for the Adaptive Management Program. The Board agreed with the draft rule language and is expected to approve and adopt the final rule during FY 2014.

Washington Department of Fish and Wildlife

Washington Department of Fish and Wildlife (WDFW) provided a crucial role in forest practices operational issues.

- WDFW regional biologists reviewed over 6,000 forest practices applications and issued approximately 800 Hydraulic Project Approvals (HPAs) associated with those applications. As one HPA may include multiple project sites, these 800 HPAs equated to approximately 1,300 forest practices-related hydraulic projects. Regional biologists also reviewed over 3,000 Water Type Modification Forms and participated in field reviews to validate those proposed water types; reviewed road maintenance and abandonment plans; reviewed and provided technical assistance on alternate plans for both large and small forest landowners; reviewed and assisted on small forest landowner long-term plans; and provided technical assistance on aquatic resource protection and road issues.

Compliance Monitoring Program

The Compliance Monitoring Program is on track to complete the first *Interim Forest Practices Compliance Monitoring Report* in July 2013 covering data from the 2012 compliance monitoring field season. DNR is directed by [WAC 222-08-160\(4\)](#) to produce "statistically sound, biennial compliance audits and monitoring reports to the (Forest Practices) Board for consideration and support of rule and guidance analysis". In addition to the WAC mandated biennial reports, in 2011, the Commissioner of Public Lands requested an annual report to be produced in the intervening years.

- With only half of the required biennial sample data represented, the findings, conclusions, and recommendations in an annual or interim report are limited. However, in the 2012 interim report two findings were possible: The RMZ exempt 20-acre parcel Emphasis Sample showed a compliance rate of 57% that was not significantly different from the 2008 compliance rate of 62%; and the 2012 haul route sample showed a

compliance rate of 87% which was not significantly different from the 2011 compliance rate of 96%.

Forest Practices Program Training

The Forest Practices Program continues to focus on training. Six Water Type - Bankfull Width trainings were provided to all field forest practices foresters and division staff involved in water typing or processing water typing forms. Two Unstable Slopes, four Channel Migration Zone, and three Wetland Identification trainings were provided for Forest Practices Program staff, agency stakeholders, landowners, and consultants. Finally, DNR region staff completed or sponsored more than 54 training presentations and meetings reaching approximately 1,300 people.

Forest Roads

Forest roads continue to improve through the Road Maintenance and Abandonment Planning (RMAP) process for large forest landowners and through landowner assistance for small forest landowners.

- For large forest landowners, since 2001, 20,026 miles of forest road have been improved to meet state forest practices standards and 4,846 fish passage barriers – about 66% of those identified – have been corrected, opening up 2,659 miles of fish habitat. For small forest landowners, since 2003, 289 fish passage projects have been completed - opening up 682 miles of fish habitat through the Family Forest Fish Passage Program.
- Washington State Department of Fish and Wildlife reviewed approximately 500 RMAPs statewide and issued about 400 Hydraulic Project Approvals (HPA) associated with those RMAPs. As many HPAs include multiple projects or locations, these 400 HPAs equate to more than 700 projects or locations associated with RMAPs.

DNR Hydrography Data Layer and Water Type Updates

The Forest Practices Program GIS staff updates DNR's hydrography data layer with water typing information received on Water Type Modification Forms (WTMF). By July 2012, due to reduced staffing over the last three years, the backlog of approved WTMF not yet entered into DNR's hydrography data layer had grown to around 1,250. Temporary DNR GIS staff was hired to enter the backlog during this reporting period. Approximately 8,400 water type updates were entered into the Hydrography data set based on 2,050 Water Type Modification Forms. Water type updates are current as of June 30, 2013.