

Forest Practices Habitat Conservation Plan

Annual Report

July 1, 2008 – June 30, 2009

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this report was prepared by the
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Successful implementation of the Forest Practices Habitat Conservation Plan involves the efforts of all of our partners in resource protection:

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Washington Department of Ecology
Governor's Salmon Recovery Office
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Washington Forest Protection Association
Washington Farm Forestry Association
Conservation Caucus
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Executive Summary

In 2006, Washington State completed the Forest Practices Habitat Conservation Plan (Forest Practices HCP) to protect aquatic and riparian-dependent species on more than nine million acres of state and private forestlands. This was a multi-stakeholder effort in response to the federally designated threatened and endangered status of certain fish species. The United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) (collectively, “the Services”) accepted the Forest Practices HCP and under the authority of the Endangered Species Act (ESA), on June 5 2006, the Services issued Incidental Take Permits (ITPs) to Washington State. The Incidental Take Permits provide assurances for forest landowners who, if conducting forest practices in compliance with forest practices rules, cannot be prosecuted if they inadvertently “take” a member of a riparian species covered by the HCP.

As a part of the HCP agreement, the State is to submit an annual report to the Services describing implementation activities. This, the third annual report, covers the period from July 1, 2008 to June 30, 2009. The report describes the State’s efforts (Washington Department of Natural Resources (DNR) Forest Practices Program, Washington Department of Fish and Wildlife, and Washington Department of Ecology) to implement the Forest Practices HCP.

July 2008 – June 2009 Activities and Accomplishments

The Forest Practices Board (board) continued to make progress on rulemaking within the forest riparian management zone. In response to a petition for rule making submitted by the Forests and Fish Policy committee, the board considered three alternative proposals for rules relating to the desired future condition of riparian management zones in western Washington. A Cooperative Monitoring, Evaluation, and Research (CMER) committee’s study showed that the basal area in these forest stands is significantly greater than the basal area targets required in the forest practices rule. Board discussion and further CMER committee work is ongoing, with a rule adoption decision expected in August 2009.

The board also continued to thoroughly review the impacts of the December 2007 storm. In particular, the board focused on assessing whether the current forest practices rules are sufficient to protect public resources against damage from future storms. DNR staff consulted with experts to determine whether the existing watershed analysis prescriptions for mass wasting and unstable slopes are still effective at reducing landslides and sediment flowing into river and streams or whether rule revisions are needed. This resulted in the formation of a board subcommittee to carry on the discussion and review policy and resource issues relating to the continued use of watershed analysis mass wasting prescriptions. The subcommittee will report to the full board in late 2009.

The impacts of the storm also prompted DNR to review how forest practices applications involving unstable landforms are processed, and whether current guidance needed to be updated. The review focused on office and field procedures in western Washington to help identify processes that needed to be improved and/or needed additional resources. As a result, guidance documents were provided on application review and documentation procedures, and clarifying correct classification of applications with mass wasting prescriptions; a Watershed Analysis Worksheet was developed and became part of a complete forest practices application; and the mass wasting prescriptions were reviewed for the 50 completed watershed analysis to determine which prescriptions are specific to the site, and which are non-specific and require additional analysis from a specialist in the study of unstable slopes or landforms.

The Adaptive Management Program Strategic Plan was completed, adopted by the Forests and Fish Policy committee and forwarded to the Forest Practices Board in late 2008. It was the result of a collaborative effort which addresses program efficiency and effectiveness, caucus relationships, program funding and communications, and research capability.

The state Department of Ecology (Ecology) began the 2009 Clean Water Act review of the state's Forest Practices and Adaptive Management programs to determine if implementation of the Forest Practices Rules and the program—including adaptive management—have been effective in meeting water quality standards. Ecology issued a draft report in May 2009 that included milestones for the Forest Practices Program, including adaptive management program research. (Note: A final report was released in October 2009, and Clean Water Act assurances have been conditionally extended based on meeting a scheduled set of milestones).

DNR's Small Forest Landowner Office produced and submitted two reports to the 2009 Legislature. The *Road Maintenance and Abandonment Plan (RMAP) Checklist Report* provided information regarding the effectiveness, extent and progress of the small forest landowner RMAP checklist implementation and recommendations on meeting road improvement goals. The *Small Forest Landowner Demographic Report* provided the legislature with information about the number of acres and the location of small forest landowner lands in Washington, along with recommendations on ways the Forest Practices Board and the legislature could provide more effective incentives to encourage landowners to continue to manage their lands for forestry uses that better protect salmon, other fish and wildlife, water quality, and other environmental values.

The Incidental Take Permits of the Forest Practices HCP include a condition regarding 20-acre exempt parcels. Those who qualify to use the 20-acre exempt forest practices rules may not be covered by the take permits. The 20-acre exempt Forest Practices Rules provide less protection for the habitat of covered aquatic species than the standard Forest Practices Rules. The Services defined coverage thresholds for 20-acre exempt parcels in each watershed administrative units and water resource inventory Area. When these thresholds (described by a reduction in function as measured by large woody debris) are exceeded, 20-acre exempt applications only will be covered if the applicant adheres to the standard riparian management zone rules. A forest practices in-office data collection method was used to determine the reduction in function for the 20-acre exempt forest practices applications on fish bearing streams by watershed analysis unit. In addition, beginning in September 2008, field data was collected (and will continue to be collected) on 20-acre exempt applications during normal field compliance visits. This data supplemented the in-office calculation method and served as a means to find out what is actually happening onsite. Twenty nine 20-acre exempt applications with 39 stream segments were observed. Generally, the data showed that the majority of 20-acre exempt landowners are not harvesting within the riparian management zones, and in some cases are leaving wider riparian areas than are required by state Forest Practices Rules. There were forty-seven 20-acre exempt forest practices applications, out of 4,849 approved forest practices applications for the reporting period.

There was one 20-acre exempt application within the spawning and rearing habitat of local populations of bull trout of particular concern to the Services. There was no harvest within the riparian management zone of the fish-bearing stream identified on this application. This is the only application within this particular area of concern since the Incidental Take Permits were signed in June 2006.

The Compliance Monitoring Program completed the *Biennium 2006-2007 Compliance Monitoring Summary Report*, and presented the findings to the Forest Practices Board. The report summarizes two years of assessments of compliance with Forest Practices Rules focusing on randomly selected

forest practices applications with riparian and road activities. The monitoring was a joint effort involving foresters, geologists, and biologists from DNR, Ecology, Washington Department of Fish and Wildlife, Tribes, and private natural resources consultants. In addition, a new stakeholder committee was established to provide guidance to the program — represented by Ecology, state Fish and Wildlife, Tribes, Washington Forest Protection Association, and the Conservation Caucus.

Large forest landowners continued to make steady progress towards achieving their Road Maintenance and Abandonment Plan (RMAP) goals for road improvement, and fish passage barrier replacement. As of December 31, 2008, approximately 66 percent of forest road miles identified as needing improvement have been improved, with 1,879 miles improved during this reporting period. A total of 44 percent of all fish passage barriers have been repaired statewide, with 623 repaired during calendar year 2008.

Forest Practices Rules (WAC 222-20-120) require the landowner to meet with the affected tribe(s) where a forest practices application involves cultural resources. The purpose of the meeting is to agree upon a plan for protecting archaeological or cultural values. In an effort to track required landowner-tribe meetings, DNR implemented a method to record which applications require a landowner-tribe meeting, and whether the required meeting took place. In addition, guidance was updated and provided to the region Forest Practices staff on implementing WAC 222-20-120.

The state's water type maps are a critically important component for review and classification of forest practices applications. More than 8,300 water typing updates were entered into DNR's hydrography data layer as a result of 1,372 submitted Water Type Modification forms during the reporting period. In addition, Forest Practices Application Review System (FPARS) version 3 was completed. When implemented later in 2009, it will allow forest practices applicants to complete and submit applications and associated activity maps online.

While the budget that covered this reporting period was fairly stable, the biennial budget cycle beginning in FY 2009 (July 1, 2009) reflects the challenging national and state economy. The Forest Practices program's overall operating budget for FY 2009 and FY 2010 has been reduced by approximately 18 percent. Losses include all funding for the Landslide Hazard Zonation Project and much of the funding for the Small Forest Landowner Office including all funding for the Forestry Riparian Easement program. Several division positions were eliminated that supported training, the Board, small forest landowner outreach, and cartography. Funding for region Forest Practices positions that review forest practices applications and comply and enforce the Forest Practices Rules remain stable. More changes may be forthcoming, depending on the pace of the state's economic recovery.

1. Introduction to Forest Practices Habitat Conservation Plan 2009 Annual Report

1.1 Introduction

In 2006, Washington State completed the Forest Practices Habitat Conservation Plan (Forest Practices HCP) to protect aquatic and riparian-dependent species on more than nine million acres of state and private forestlands. This was a multi-stakeholder effort in response to the federally designated threatened and endangered status of certain fish species. The United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries) (collectively, “the Services”) accepted the Forest Practices HCP and under the authority of the Endangered Species Act (ESA), on June 5 2006, the Services issued Incidental Take Permits (ITPs) to Washington State. The Incidental Take Permits provide assurances for forest landowners who, if conducting forest practices in compliance with forest practices rules, cannot be prosecuted if they inadvertently “take” a member of a riparian species covered by the HCP. The implementation of the Forest Practices HCP is a partnership between the Services and Washington State.

Three state agencies, the Washington State Department of Natural Resources (DNR), the Washington Department of Fish and Wildlife (WDFW), and the Washington Department of Ecology (Ecology) work together to implement the Forest Practices HCP. DNR provides the majority of staff positions that implement the Forest Practices HCP because of the authority given the department in the Forest Practices Act (chapter 76.09 Revised Code of Washington (RCW)) and Rules (Title 222 Washington Administrative Code (WAC)). However, both WDFW and Ecology have dedicated office and field staff time to support the various functions of the forest practices program and the implementation of the Forest Practices HCP. WDFW and Ecology support includes participation in the following:

- The Adaptive Management Program (which includes The Cooperative Monitoring, Evaluation and Research Committee (CMER); the Forests and Fish Policy committee; Adaptive Management Program Administrator; and the Scientific Review Committee);
- The Compliance Monitoring Program;
- The Family Forest Fish Passage Program (FFFPP);
- The review of Road Maintenance and Abandonment Plans (RMAPs);
- The development of Forest Practices Board Manual (Board Manual) chapters;
- The evaluation of water type change proposals;
- The review of forest practices applications (FPAs); and
- Interdisciplinary Teams.

The state is committed under the Forest Practices HCP to submit an annual report to the Services describing the implementation activities. This third annual report covers the period from July 1, 2008 to June 30, 2009. The report describes the efforts within the forest practices program and with our partners to implement the Forest Practices HCP.

1.2 2009 Report Highlights

Highlights of the Forest Practices HCP implementation from July 1, 2008 to June 30, 2009 include:

Forest Practices Board

- The Forest Practices Board (Board) considered three rule proposals to amend WAC 222-30-021(1) relating to the Desired Future Condition of streamside or riparian management zones in western Washington. A decision on which rule to adopt is expected in August 2009.
- The Board directed the Adaptive Management Program to develop a rule proposal that offers a fixed-width, no harvest zone for landowners who prefer a simpler approach than current forest practices rules for management within riparian areas. The proposal is scheduled for consideration at the November 2009 board meeting.
- Following the December 2007 storm, the Board has been considering whether rule making is needed to ensure that the watershed analysis mass wasting prescriptions are providing an appropriate level of protection to public resources and public safety. A report is expected at the November 2009 meeting. In addition, DNR reviewed all the 293 mass wasting prescriptions from the 50 completed watershed analysis and provided further guidance on correctly classifying forest practices applications with mass wasting prescriptions.
- Following the December 2007 storm, DNR reviewed operational processes and current guidance for applications involving unstable landforms in western Washington. As a result, new guidance was issued and a watershed analysis worksheet was developed and became part of the forest practices application.

Adaptive Management Program

- The Adaptive Management Program Strategic Plan was completed and forwarded to the Board. The plan addresses program efficiency and effectiveness; caucus relationships; program funding and communications; and research capability and knowledge.
- The study, *Mass Wasting Prescription-Scale Effectiveness Monitoring Project (Post Mortem)* is 80 percent complete. It investigated storm-related landslides following the December 2007 storm to determine if the rules are effective at limiting landslides from forest practices.
- The Department of Ecology began a review of the Clean Water Act assurances and issued a draft report in May 2009, with a final report due later in 2009. The draft report contains several milestones related to the Adaptive Management Program – particularly regarding research and monitoring projects designed to determine if the forest practices rules are effective at meeting water quality standards.

Small Forest Landowner Office

- DNR's Small Forest Landowner Office submitted two reports to the 2009 Legislature: *Road Maintenance and Abandonment Plan Checklist Report*, and the *2008 Demographic Report*.
- *Family Forest Fish Passage Program 2008 Implementation Report* was produced.

20-Acre Exempt Riparian Forestland

- A field data collection method was initiated in September 2008 to supplement the in-office procedure for calculating the potential reduction in function as measured by large woody debris for those applications that qualify to use the 20-acre exempt riparian management zone forest practices rules.

- There was one 20-acre exempt forest practice application within the bull trout area of concern during the reporting period.
- There were 47 twenty-acre exempt forest practice applications adjacent to fish-bearing streams for the reporting period, out of 4,849 approved forest practices applications for the same time period.

Compliance Monitoring Program

- The program design has been revised, as recommended in the Technical Review of the Program Design report, and partially implemented in the 2008-2009 field protocols.
- The *Biennium 2006-2007 Compliance Monitoring Summary Report* has been completed and is available. The report assessed compliance with forest practices rules relating to riparian and road activities on 174 randomly selected forest practices application.
- A new stakeholder committee has been established to provide advice and guidance on program emphasis. The committee is represented by the Department of Fish and Wildlife; the Department of Ecology; Tribes; Washington Forest Protection Association; and the Conservation Caucus.

Road Maintenance and Abandonment Planning for Large Forest Landowners

- Large landowners reported repairing 623 fish passage barriers during the 2008 calendar year, with a 44 percent overall accomplishment rate as of December 31, 2008.
- 1,879 miles of forest road has been improved during the 2008 calendar year. From 2001 to 2008, 2008 approximately 15,019 total road miles have been improved.

Tribal Relations

- In September 2008, DNR implemented a tracking method that records which forest practices applications require a landowner-tribe meeting as per WAC 222-20-120, and if the required meeting took place. In addition, guidance on implementing WAC 222-20-120 was updated.

Washington State Legislature

- The 2009 Legislature broadened the scope of the Riparian Open Space Program to include private forest lands containing the habitat of federally listed threatened or endangered species listed in WAC 222-16-080. The Forest Practices Board will initiate rule making to account for the expansion of this program, and the Forest Practices Division will implement the program.

Information Technology

- The Forest Practices Division GIS section entered over 8,300 water type updates into the hydrography data set as a result of 1,372 submitted Water Type Modification Forms.
- Forest Practices Application Review System (FPARS) – version 3 was completed and will be implemented in the fall of 2009. This updated FPARS version will allow forest practices applicants to complete the application and activity maps on-line and submit them via the internet to DNR.

Budget

- As a result of the challenging state and national economy, the Forest Practices Division's operating budget for the 2009-2011 biennium (July 1, 2009, to June 30, 2011) has been reduced by 18 percent or approximately \$4 million.

The report provides additional information related to each of these highlights in the relevant chapter that follows.

2. Forest Practices Board

2.1 Introduction

The Forest Practices Board's activities during the 2008-2009 reporting period are explained in this section. The Board adopted rules related to historic sites, conversion activities, board composition, and the northern spotted owl. The Board also considered changes to the riparian desired future condition rules, a fixed-width riparian management zone rule, and rules pertaining to hazardous trees and mass wasting watershed analysis prescriptions.

2.2 Forest Practices Board Overview

The Board sets the standards that are the basis for the Forest Practices program. The state's Forest Practices Act established the Board in 1974 as an independent state agency. It directs the Board to adopt forest practices rules for non-federal and non-tribal forestlands that protect public resources while maintaining a viable forest products industry. "Public resources" is defined as water, fish and wildlife, and capital improvements of the state or its political subdivisions.

The Board consists of thirteen members. In the 2008 legislative session the Washington State Legislature added a thirteenth member to the Board who represents a timber products union. The Board is staffed by DNR and chaired by the Commissioner of Public Lands, or the Commissioner's designee. The remaining members include five state agency directors (or their designees) and eight members appointed by the governor. The represented agencies are the Department of Natural Resources, Department of Commerce (formerly known as Community, Trade and Economic Development), Department of Ecology (Ecology), Department of Agriculture, and the Washington Department of Fish and Wildlife (WDFW). The governor-appointed members include a member representing a timber products union, a forest landowner who actively manages his or her land, an independent logging contractor, an elected county commissioner or council member, and four general public members whose affiliations are not specified in the Forest Practices Act. The current membership is:

- Peter Goldmark, Commissioner of Public Lands
- Brent Bahrenburg, Department of Commerce
- Tom Laurie, Department of Ecology
- Brad Avy, Department of Agriculture
- Joe Stohr, Department of Fish and Wildlife
- Dave Somers, Snohomish County Commissioner
- Bill Little, timber products union representative
- Doug Stinson, general public member and small forest landowner
- Sherry Fox, general public member and independent logging contractor
- David Hagiwara, general public member
- Carolyn Dobbs, general public member
- Norm Schaaf, general public member
- David Herrera, general public member

In addition to adopting rules, the Board approves the Board Manual, an advisory technical supplement to the rules. The manual guides field practitioners and DNR regulatory staff when implementing certain rule provisions. The forest practices rules, together with the Board Manual, largely represent the state's protection measures for public resources.

The Board also directs the Adaptive Management Program. The Program provides science-based recommendations and technical information to assist the Board in determining if and when it is necessary or advisable to adjust rules and guidance in order to achieve established goals and objectives. The Board empowers four entities to participate in the Adaptive Management Program:

1. Cooperative Monitoring, Evaluation and Research (CMER) committee
2. Forests and Fish Policy committee
3. Adaptive Management Program Administrator
4. Scientific Review Committee (SRC)

The CMER committee represents the science component of the program and oversees research and monitoring. The Forests and Fish Policy committee considers CMER committee research and monitoring findings and makes recommendations to the Board related to forest practices rule amendments and/or guidance changes. Participation in both the CMER committee and the Forests and Fish Policy committee is open to representatives of forest landowner and environmental interests, tribal governments, county governments, and state and federal agencies. The Adaptive Management Program Administrator is a full-time employee of DNR and is responsible for overseeing the Program, supporting the CMER committee and reporting to the Forests and Fish Policy committee and the Board. The Scientific Review Committee performs independent peer review of some CMER committee work to ensure it is scientifically sound and technically reliable. The Scientific Review Committee may also review non-CMER work, though it does not do so frequently.

2.3 Forest Practices Board Rule Making Activity (July 1, 2008 – June 30, 2009)

Historic Sites

On August 13, 2008, the Board adopted amendments to rules related to historic sites. The definition of “historic sites” was removed from WAC 222-16-010, and WAC 222-16-050(1)(f)(ii) was amended to clarify that forest practices operations near certain historic sites are classified Class IV-special applications which triggers the State Environmental Policy Act (SEPA). In total this rule making addressed ambiguities and inconsistencies between Class IV-special and Class III forest practices related to the management of historic sites and cultural resources. The rule language was a consensus proposal from the Timber Fish and Wildlife (TFW) Cultural Resources Committee.

Conversion Activity

Also on August 13, 2008, the Board amended WAC 222-16-010 to implement changes contained in Second Substitute Senate Bill 5883 (2007 legislation). The rule added a definition of “conversion activities” to help field staff recognize activities common to converting land use from forestry to nonforestry.

Board Composition and Miscellaneous Corrections

On November 12, 2008, the Board adopted amendments to chapter 222-08 WAC, Practices and Procedures, reflecting changes to the composition of the Board made by the 2008 Legislature through Substitute House Bill 2893. As mentioned in section 2.2, one of the changes is the addition of a thirteenth board member position specified to be a representative of a timber products union. The other is to specify the small forest landowner position as “a small forest landowner who actively manages his or her land” rather than “an owner of not more than five hundred acres of forest land.” At the same time the Board included minor corrections to rules throughout Title 222 WAC.

Northern Spotted Owl

On July 7, 2008 the Board established a multi-stakeholder Northern Spotted Owl Policy Working Group to recommend a rule and/or other programmatic strategy that will result in contributions from nonfederal lands toward maintaining a viable population of the northern spotted owl in Washington. The group is directed to base its recommendations on the best available science, and to consider guidance in the U.S. Fish and Wildlife Service 2008 Final Recovery Plan for the northern spotted owl. The group is also directed to emphasize voluntary, incentive-based conservation approaches. It has met many times since its creation, and continues to work to develop recommendations by the end of 2009.

As an interim measure to ensure important habitat is not lost prior to the adoption of a long-term conservation strategy, on December 16, 2008 the Board adopted an emergency rule, and initiated permanent rule making with the same rule language, which:

- Removed a moratorium on spotted owl site center decertification;
- Created a three-person “spotted owl conservation advisory group” to exist for one year from January 1, 2009, until December 31, 2009; and
- Specified the advisory group’s function.

The advisory group is to evaluate the need to maintain northern spotted owl habitat within the owl circle surrounding any approved landowner surveys approved by the state Department of Fish and Wildlife, for the purpose of spotted owl site center decertification. The group’s evaluation may or may not result in a decision to allow decertification of a site center. A decision to decertify must be one of group consensus finding that the Northern Spotted owl habitat for the site need not be maintained while the Board completes its evaluation of rules affecting the spotted owl. To date, no such surveys have been submitted by a landowner to the state Department of Fish and Wildlife, and the advisory group’s work has not been needed.

Desired Future Condition

The Board continues to consider three alternative rule proposals to amend WAC 222-30-021(1) pertaining to the desired future condition of streamside or riparian management zones in Western Washington. This is in response to an August 31, 2005 petition for rule making submitted by the Forests and Fish Policy committee. The CMER committee completed a study entitled *Validation of the Western Washington Riparian Desired Future Condition (DFC) Performance Targets in the Washington State Forest Practices Rules with Data From Mature, Unmanaged, Conifer-Dominated Riparian Stands* (Schuett-Hames et. al., 2005). The study’s findings showed that basal area¹ per acre of mature, unmanaged conifer-dominated riparian stands is significantly greater than the basal area targets required in the rule. The results included basal area of mature unmanaged stands by site class. The study also analyzed the difference between the basal area calculations of riparian areas found in the five site classes² listed in the rules and concluded that there is no statistical difference for basal areas between site classes. The study did not offer an alternative single basal area target that was the same for all site classes.

The three alternative rule proposals under consideration are as follows:

- Proposal 1 increases the basal area target to 325 sq. ft. per acre for all site classes. This is the median value of the data in the validation study.

¹ Basal area is the area in square feet of a cross section of a tree bole (main trunk). Basal area per acre is the total square feet of all tree bole cross sections in the acre.

² Site class is an indicator of how productive a site is for growing timber.

- Proposal 2 increases the target basal area per acre the same as Rule Proposal #1, and it allows landowners who harvest under Option 2 to credit the required 20 leave trees per acre (in the harvested portion of the inner zone) towards meeting the stand requirement. The proposal also expands the table, “Option 2. Leaving trees closest to water”, to add minimum floor widths (i.e., possible inner zone harvest opportunities) for site classes III and IV on streams greater than 10 feet in width.
- Proposal 3 increases the target basal area per acre the same as Rule Proposal #1, and it allows landowners who harvest under Option 2 to credit the required 20 leave trees per acre (in the harvested portion of the inner zone) towards meeting the stand requirement.

As reported in the 2008 annual report, the Board anticipated adopting a rule at the February 2009 meeting. However, the Board has not adopted a rule for a variety of reasons.

On May 20, 2009 the Board directed the CMER committee to estimate the degree to which implementing Proposal 3 would affect the ability of riparian stands to achieve the desired future condition as compared to Proposal 1. The Board did not direct CMER to do the same for Proposal 2. This is because the Board intends to adopt a rule on August 12, 2009, and CMER consideration of both proposals 2 and 3 would not fit within that time constraint. However, the Board has made it clear that all three proposals are still under consideration for rule adoption.

Fixed-Width Riparian Management Zones

While the Board considered rule proposals to respond to the above-mentioned validation study, the Board directed DNR staff to work with stakeholders to create an alternative rule for management in riparian areas. This alternative would offer a fixed-width, no harvest zone to landowners who prefer a simpler approach than is offered in current rules. It would not require the use of a growth model or extensive zone delineation and tree measuring in the field. DNR staff worked with Forests and Fish caucuses to develop a rule draft in the fall and winter of 2009. In February 2009 the Board authorized distributing draft language to the state Department of Fish and Wildlife and counties for a 30-day review and comment opportunity pursuant to RCW 76.09.040(2), and at the same time distribute the draft to members of the Forests and Fish Policy and CMER committees.

All of the Forests and Fish caucuses agree that a simpler alternative should be available in the rules, but some feel strongly that the zone width should be determined via the Forests and Fish Adaptive Management process. The Board, therefore, is requesting the Adaptive Management Program to develop a rule proposal for Board consideration prior to its November 2009 meeting.

Trees and Houses

As indicated in the 2008 report, the Board is considering rule making that will exclude from the definition of “forest land” trees immediately adjacent to residential structures. The purpose is to transfer the jurisdiction over removing these hazard trees from DNR to local governments, but would maintain Department of Labor and Industry jurisdiction for public safety purposes.

Rule development activities continued during the current reporting period. In August 2008 the Board authorized distributing draft language to the state Department of Fish and Wildlife and counties for a 30-day review and comment opportunity pursuant to RCW 76.09.040(2). Comments received through that process prompted further rule development which is in progress at the time of this writing. It is likely that the Board will distribute draft rules for public review and hearings in the winter or spring of 2010.

Upland Wildlife Planning

The Board/Department of Fish and Wildlife project to conduct a comprehensive review of the forest practices rules and science for upland wildlife protection continued as funding allowed. However, this project will be on hold starting July 1, 2009 due to lack of state or federal funding. When it is again funded, this review and planning process could result in rule recommendations for wildlife habitat conservation.

2.4 Anticipated Forest Practices Board Direction

Desired Future Condition, Northern Spotted Owl, Fixed-Width Riparian Zones, and Trees and Houses

As indicated in the information provided in part 2.3, the Board will continue rule making on the desired future condition of riparian management zones, the conservation of northern spotted owl habitat, fixed-width riparian zones, and changing the rules to exclude trees immediately adjacent to residential structures from state forest practices jurisdiction.

Watershed Analysis Mass Wasting Prescriptions

The Board is considering whether rule making is needed to ensure that watershed analysis mass wasting prescriptions are providing an appropriate level of protection to public resources and public safety. This is following the December 2007 storm event (see section 2.6 for more information) in southwest Washington, and the Board's concern about whether the rules related to unstable slopes and landforms are adequate for resource and public protection.

On May 20, 2009 the Board directed staff to prepare "proposal initiation" information as outlined in Board Manual Section 22 – Guidelines for Adaptive Management Program, Part 3. This will include requests for information from the Adaptive Management Program to answer the Board's questions related to the adequacy of the rules for unstable slopes and rule-identified landforms. If this proposal initiation process results in proposed rule making, the rule making process would probably begin in February or May 2010. The affected rules would be in chapter 222-22 WAC, Watershed Analysis, and chapter 222-10 WAC, State Environmental Policy Act Guidelines.

Riparian Open Space Program

The 2009 state legislature passed legislation that broadens the scope of the Riparian Open Space Program to include acquisitions of conservation easements for critical habitat for threatened and endangered species listed in WAC 222-16-080, Critical habitats (state) of threatened and endangered species. The program will likely be given a new name to reflect the additional habitat acquisitions. The Board will conduct rule making to account for the expansion of this program, and the Forest Practices Division will implement the program. Rule making will amend chapter 222-23 WAC, and possibly will change a definition in WAC 222-16-010 and amend WAC 222-16-050 (1) (d) (iii).

Other activities the Board may begin in the 2009-2010 reporting period

The Board may also commence rule making to:

- Change the way regular Board meeting dates are scheduled (chapter 222-08 WAC);
- Clarify administrative processes (chapters 222-20 and 222-46 WAC);
- Clarify jurisdictional issues related to language under the Class IV-general classification, "lands platted after January 1, 1960" (WAC 222-16-050(2)). This has been identified as needing clarification, but is dependent on whether the legislature first makes changes to RCW 76.09.240(1)(a).

2.5 Forest Practices Board Manual

The Board Manual is an advisory technical supplement to the forest practices rules that provides technical background and guidance for DNR staff, forest landowners and cooperating agencies and organizations when implementing certain rules.

The forest practices rules direct DNR to develop Board Manual sections, each of which provides guidance for implementing a specific rule or set of rules. DNR develops and makes modifications to sections of the Board Manual in cooperation with Departments of Fish and Wildlife, Agriculture, Ecology and other affected agencies, affected tribes, and interested parties that have appropriate expertise. The development or modification process typically begins with a working group identifying key elements to be addressed, and progressing to drafting language with DNR in the lead. During this development phase any interested party may comment on a draft. For Board Manual sections providing guidance for rules protecting aquatic resources, a final draft is presented to the Forests and Fish Policy committee for review and approval, after which the Board considers and approves it for inclusion in the Board Manual. Sometimes it may be necessary to present the Board with a final product that represents agreement by a majority of the Forests and Fish Policy committee, rather than by consensus. In these cases, DNR staff informs the Board of the lack of consensus and provides a briefing on the outstanding issues prior to the Board taking action.

Forest Practices Board Manual Activity (July 1, 2008 – June 30, 2009)

DNR, in cooperation with the Small Forest Landowner Advisory Committee and other interested parties is developing a “Small Forest Landowner Conifer Restoration for Western Washington” template for inclusion in Board Manual Section 21, Guidelines for Alternate Plans. The template, expected to be presented to the Board at its November 2009 meeting, will offer a simplified alternate plan process for small forest landowners to re-establish riparian conifer stands by harvesting hardwoods while protecting riparian functions.

2.6 Response to December 2007 Storm

Background

On December 2 and 3, 2007, a storm occurred in western Washington that has been described by some as a 500-year storm event. The storm brought heavy precipitation and high winds. The amount of rain received during the storm ranged as high as 19 inches near the Rock Creek drainage in Wahkiakum County and wind gusts exceeded 80 miles per hour along the coast and gusts of 140+ miles per hour were recorded at Radar Ridge just west of Naselle, Washington. According to Greg Sinnott, DNR Chief Meteorologist, western Washington sustained the strongest gale since the great Columbus Day Storm of 1962. The duration of the wind event was unprecedented in Washington. The gale arrived in two surges, with the first triggered by a low pressure system moving into the Olympic Peninsula. The second surge arrived about 12 hours later and was stronger than the first in some areas.

The combination of strong winds and high amounts of rainfall combined with rapid snow-melt caused severe damage to all downstream properties. Effects to forestland included extensive damage to forest roads, bridge washouts, numerous landslides, debris slides and slumps, and massive blow-down in areas. Heavy rain affected soil stability and resulted in extensive flooding.

The State of Washington responded immediately to the disaster. Governor Gregoire created a task group to coordinate various branches of state and local government and others to provide relief to those affected by the floods, and to work on recovery and prevention. The group focused on four areas of work: Human services, repairing public systems, financial recovery, and natural resources.

The Forest Practices Board (the Board) devoted the February 13, 2008, board meeting to the storm. Presentations were made to the Board describing the storm, the effects of the storm on forest land, post-storm geological reconnaissance, and outreach and landowner assistance including expedited processing of forest practices applications, alternate plan considerations and debris clean-up. The presentations can be found at:

www.dnr.wa.gov/BusinessPermits/Topics/OtherInteragencyInformation/Pages/bc_fp_presentations20080213.aspx.

The Board asked whether current rules had been followed in harvest units that contributed to storm damage, and if they are sufficient to protect against damage in future storms. The Board committed to ensuring a thorough review of the potential relationship between forest practices and the impacts of the storm.

The DNR Division of Geology and Earth Resources surveyed and mapped over 1,000 landslides. Most of the landslides were found to be debris flows. Bedrock and shallow soils were key components of the landslides. More information can be found in DNR's Division of Geology and Earth Resources report, *Landslide Reconnaissance Following the Storm Event of December 1-3, 2007 in Western Washington* located at:

www.dnr.wa.gov/Publications/ger_ofr2008-5_dec2007_landslides.pdf.

DNR worked in partnership with local county governments, local conservation districts, and other state and federal agencies to assist landowners in storm recovery efforts. DNR's outreach to landowners included assistance in debris removal from agricultural land, working individually with industrial forestland owners and family forestland owners, and expediting the processing of storm damage forest practices applications. More detailed information about the expedited processing of storm-related forest practices applications can be found at

www.dnr.wa.gov/Publications/fp_storm_fpa_memo.pdf.

DNR also held public informational meetings and special storm related educational workshops, and provided question and answer information on the Small Forest Landowner Office (SFLO) website. More information regarding assistance to small forest landowners can be found in the SFLO authored report *Small Forest Landowner Assistance after the December 2007 Storm, September 2008* found at www.dnr.wa.gov/Publications/fp_sflo_storm_report.pdf and at the following website: www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_storm_damage.aspx.

The Board decided that follow-up work should be done to help the Board determine if changes are needed to the forest practices rules and/or operational guidance to prevent potential damage to public resources during future storm events. DNR staff proposed, and the Board accepted a work plan at the May 2008 Board meeting. The work plan focused on the following four actions:

1. Convene a group of experts to discuss:
Given the state of science today, are the watershed analysis prescriptions for mass wasting and unstable slopes still effective at reducing landslides and sediment flowing into rivers and streams or should that portion of the rules be revised or replaced in some way? (Refer to WAC 222-22 for information about the watershed analysis process).
2. Conduct a review of how DNR is processing forest practices applications involving unstable landforms and current guidance on that process.
3. Review, with the Forests and Fish Policy committee, the adaptive management strategies related to unstable slopes.
4. Provide the Board with the most current climate change information coming from the University of Washington and the Governor's Climate Action Team.

The Board held a special board meeting in June 2008 to tour areas in DNR's Pacific Cascade Region that were impacted by the storm. Board members, DNR forest practices staff, other agency staff, and the public attended the tour. The field tour included discussions and review of:

- forest practices in the Stillman Creek basin, an area heavily impacted following the storm;
- how forest practices applications are expedited for blow-down harvest on small forest landowner properties;
- woody debris removal from agricultural lands in the Chehalis basin;
- alternate plans for harvest of blow-down timber within riparian areas; and
- the importance of replacing fish passage barriers on small forest landowner streams.

Status of the Forest Practices Board's Work Plan - December 2007 Storm

1. Experts Meeting

A meeting was convened in August 2008 with appropriate technical experts to evaluate the proper role for watershed analysis prescriptions in the processing of forest practices applications. The group included scientists from DNR's forest practices science team and DNR state lands, as well as scientists and technical experts from USFWS, National Park Service, the forest products industry, and the Northwest Indian Fisheries Commission. The group presented the following consensus recommendations to the board:

- develop and implement a monitoring program,
- review the "post mortem" *Mass Wasting Prescription Scale Effectiveness* CMER study and the 5-year watershed analysis reviews that have been performed to gain insights about the effectiveness of mass wasting prescriptions.

The group did not reach consensus on whether to continue the use of the mass wasting prescriptions. The majority supported discontinuing the use of the mass wasting prescriptions unless and until they are reviewed and where necessary improved. The minority opinion supported continuing to use the prescriptions until and unless monitoring provided a scientific basis for modification. DNR reported to the board that when the Forests and Fish Report (FFR) was implemented, along with the new and revised forest practices rules based on the FFR, watershed analysis was viewed as a "legacy" program. Work stopped on new prescription implementation, the five-year review process, and training and certification of "qualified experts." Questions remain about whether the watershed analysis mass wasting prescriptions are effective, and how to determine their effectiveness.

It was decided, after further discussions at subsequent board meetings throughout the spring and summer 2009, to convene a sub-committee made up of board members to inform the full board on policy and resource issues relating to the continued use of watershed analysis mass wasting prescriptions. The subcommittee, facilitated by DNR, represents both industrial and family forest landowners, the department of Ecology, and the tribes. The subcommittee will hold meetings in October 2009 and report back to the board at their November 10, 2009 board meeting.

More information on the board discussions can be found in the board meeting minutes (particularly the minutes for Nov. 12, 2008, Feb. 11, 2009, March 31, 2009, and Aug. 12, 2009) at the following website:

www.dnr.wa.gov/BusinessPermits/Topics/OtherInteragencyInformation/Pages/bc_fp_agendas_minutes.aspx

2. Forest Practices Application Process on Unstable Landforms

DNR reviewed operational processes relating to forest practices applications involving unstable landforms in western Washington, along with the current rules and guidance on

processing those applications. The review focused on procedural consistencies and inconsistencies in all four westside DNR regions to identify processes that need improvement or additional resources.

Office/Field Review of Applications

Ninety-three westside forest practices applications were reviewed. The applications were randomly selected within three categories – Class III applications with potentially unstable slope features, Class III applications using watershed analysis prescriptions for mass wasting, and Class IV-Special applications with an unstable landform.

Office and field-related questions were used to allow forest practices program evaluation on how the regions were processing forest practices applications. The office-related questions focused on what risk assessment and other tools the office staff used (in addition to other information submitted with the application) to class the application; whether the application was located in an approved Watershed Analysis Unit; what information was provided to the forest practices foresters; and whether any comments were received from the Department of Transportation regarding the application.

The field-related questions focused on the how the forest practices forester reviewed the application; when that person had attended unstable slopes training; if the forest practices science team geologist was consulted during the review of the application; whether unstable landforms were identified during forest practices application review site visits; criteria used to determine whether or not the proposal was a Class IV- Special; any conditioning related to unstable slopes; and what documentation existed.

Findings: While existing office and field procedures and guidance were generally followed when evaluating forest practices applications, the following recommendations were made:

- A. develop an attachment to the forest practices application to collect watershed analysis mass wasting prescriptions information,
- B. develop programmatic forest practices application review and documentation expectations, and train all staff,
- C. joint review of a sample of forest practices applications using Watershed analysis mass wasting prescriptions by the forest practices foresters and region geologists,
- D. improve interactions with the Department of Transportation.

Actions Taken:

- A. The review of the applications identified several areas for improvement:
 - Assurance that the correct mass wasting prescriptions are identified on the application,
 - documentation (provided by the applicant) on how the applicant planned on implementing approved watershed analysis prescriptions,
 - correct forest practices application classification by DNR,
 - documentation (by DNR) on how the mass wasting prescription information was reviewed and validated,

As a result, effective March 2, 2009, a Watershed Analysis Worksheet was developed and became part of a complete forest practices application. The worksheet and accompanying instructions can be found at:

www.dnr.wa.gov/Publications/fp_form_fpanwau.pdf.

- B. The forest practices program developed a guidance document, dated March 23, 2009, titled *FPA Review and Documentation Procedures*. It includes program documentation goals and standards; program expectations of forest practices office and field staff, including forest practices foresters, geologists and Road Maintenance and Abandonment Plan specialists; and program expectations of division staff. The document was distributed to region and division staff. See Appendix A.
- C. The regions are currently in the process of conducting a joint review (forest practices forester and region geologist) on the first two forest practices applications received per forester per completed watershed analysis unit to verify that the applicant has correctly identified the mass wasting map unit on the ground, and is applying the correct mass wasting prescriptions for the mass wasting feature identified in the watershed analysis. The review also includes documenting what was looked at and any conclusions in the forest practices application file and in the region's master forest practices log.
- D. The Forest Practices Program has been working with the Washington Department of Transportation (WDOT) on improving communication between the agencies as well as providing opportunities for WDOT staff to have access to Forest Practice Applications of interest via the Forest Practices Application Review System (FPARS). Forest Practices staff has provided opportunity for WDOT geotechnical and/or road maintenance staff to participate in on-site reviews of proposed forest practice activities when there is concern that the activity may impact a road that WDOT manages. The processes that have been put in place have been working well to date. Both agencies are committed to continue making improvements to the process in order to meet mutual goals and objectives that satisfy both agencies.

Classifying Forest Practices Applications

WAC 222-16-050(1)(d)(iii) directs that certain forest practice applications are not to be classified as Class IV-Special for potentially unstable slopes or landforms if three criteria apply:

1. within a watershed analysis unit, and
2. conducted according to an approved watershed analysis mass wasting prescriptions; and
3. prescriptions are specific to the site or situation, as opposed to prescriptions that call for additional analysis.

Findings: After a review of forest practices applications involving unstable slopes, it was discovered that the three classifying criteria (listed above) are not always being correctly applied. In particular, the third criteria seemed to present some difficulty. Some applications were being classified as Class III rather than Class IV-Special based on watershed analysis prescriptions that are not specific or call for additional analysis.

Actions Taken:

- DNR division and region staff initiated a comprehensive evaluation to determine which watershed analysis mass wasting prescriptions meet criterion #3 above. Staff reviewed 293 separate mass wasting prescriptions from 50 completed watershed analysis. This analysis, completed in July 2009, has provided further direction on correctly classifying forest practices applications with mass wasting prescriptions.

- The forest practices program provided an interim guidance document on March 23, 2009 (Appendix B) that was replaced by a final guidance document on September 28, 2009 (Appendix C) to the region forest practices staff to further clarify classifying forest practices applications that contain proposals with watershed analysis prescriptions for forest practices activities on potentially unstable slopes or landforms. The final guidance document included spreadsheets that summarized watershed analysis mass wasting prescriptions statewide to determine which prescriptions are specific to the site or situation and which prescriptions are non-specific and require additional analysis from a specialist in the field of unstable slopes or landforms.

3. **Adaptive Management Strategy Review**

The Upslope Processes Science Advisory Group (a sub-group of CMER) reviewed the adaptive management strategies related to unstable slopes. The Group confirmed to the Forests and Fish Policy committee that the appropriate studies involving unstable slopes are on CMER's work plan and are prioritized correctly.

One study in particular, *Mass Wasting Prescription-Scale Effectiveness Monitoring Project (Post Mortem)* began investigating storm-related landslides following the December 2007 storm. The study is designed to determine if the Forests and Fish rules - including rules for harvest on potentially unstable slopes, road construction and maintenance rules, and Road Maintenance and Abandonment Plans (RMAP) - are effective at limiting landslides from forest practices. The project is 80 percent complete. The fieldwork was completed in October 2008. The Upslope Processes Science Advisory Group, which sponsored the study, is currently reviewing the data and draft final report prepared by the consulting team. An approved Upslope Processes Science Advisory Group report will be forwarded to CMER for review in late fall of 2009.

The study plan can be found at:

www.dnr.wa.gov/Publications/fp_am_cmer_masswaste_pse_plan.pdf

The progress report can be found at:

www.dnr.wa.gov/Publications/fp_am_cmer_masswaste_pse_progress.pdf

4. **Climate Change Information**

The University of Washington will present information to the board on climate change at the November 2009 board meeting.

3. Adaptive Management Program

3.1 Introduction

This chapter provides a brief background on the Adaptive Management Program (AMP) and accomplishments to date. Those accomplishments in large part occur through CMER research projects. The CMER work plan presents an integrated strategy for conducting research and monitoring to provide scientific information to support the Program. Section 3.6 lists websites that give detailed information on the CMER work plan and projects.

Section 3.7 contains information on electrofishing activities associated with Adaptive Management Program projects. The Services specifically requested this information through the Incidental Take Permit conditions.

3.2 Purpose of Adaptive Management Program

The purpose of the Adaptive Management Program is to produce technical information and science-based recommendations to assist the Forest Practices Board (Board) in determining if and when it is necessary or advisable to adjust forest practices rules and guidance in order to achieve program goals, resource objectives and performance targets identified in the Forest Practices HCP. As a result, a successful adaptive management program is essential to ensuring the ongoing development and implementation of measures that effectively conserve the habitats of species covered under the Forest Practices HCP. A full description of the Adaptive Management Program, the components, process, as well as the research and monitoring programs can be found in Chapter 4, Section 4a-4 of the Forest Practices HCP.

The current Adaptive Management Program has been formally in place since the adoption of the Forests and Fish Rules in 2001. Schedule L-1 from the Forests and Fish Report served as the foundation for the Adaptive Management Program, and more specifically guides the development of research and monitoring projects described in the fiscal year (FY) 2009 CMER Work Plan. Key questions - and therefore research and monitoring priorities - are likely to change over time as adaptive management proceeds and new information becomes available. Major research priorities presented in the CMER Work Plan have not changed substantially at the overall program level since the most recent program prioritization in 2002. However, reprioritization has taken place on a project level in an effort to answer questions related to clean water act requirements in a timelier manner. Changes to resource objectives, performance targets and research and monitoring priorities, while at the discretion of the Board, would typically be reviewed and agreed to by the Forests and Fish Policy committee.

3.3 Adaptive Management Program History

Since 2001 the AMP has completed more than 30 projects. Many of these projects are posted on the Adaptive Management Program web page (see section 3.6). Much of the program's early work was in support of rule tools designed to develop, refine or validate protocols, models and targets used to facilitate forest practices rule implementation. These projects did not necessarily result in a final project report or rule change, but did result in draft reports, GIS products or other types of databases.

Over the last few years the Adaptive Management Program has focused much of its effort on effectiveness monitoring projects. Work has also recently begun on extensive temperature monitoring. The effort to more fully integrate research and monitoring across spatial and temporal scales is ongoing and will continue in FY 2010.

3.4 Cooperative Monitoring, Evaluation, and Research Committee Work Plan

The CMER Committee produces an annual work plan that describes the various Adaptive Management Program research and monitoring programs, associated projects and work schedule. The plan can be found on the Adaptive Management Program web page (see section 3.6 below) under the “files” header. The CMER work plan is intended to inform CMER participants, the Forest Practices Board, the Forests and Fish Policy committee and members of the public about CMER Committee activities. The programs in the work plan have been prioritized based on the level of scientific uncertainty and resource risk associated with the priorities of Schedule L-1 in the Forests and Fish Report and incorporated into the Forest Practices HCP. CMER has worked to implement the higher priority programs first to ensure that the most important questions about resource protection are answered before the questions with lower scientific uncertainty or lower resource risk. The plan is a dynamic document that is revised annually in response to research findings and changes in the Forests and Fish Policy committee objectives and funding.

The Forests and Fish Policy committee held a budget retreat in March 2009 and approved the FY 2010 CMER Work Plan and budget. The Board approved the same at the May 2009 meeting. All of the FY 2010 projects have been in place for at least a year or more, with most residing in the data collection or data analysis phase. CMER spent considerable effort at reformatting the work plan last year in order to make each rule group chapter more consistent in layout and presentation of information. A new section placeholder was added to each rule group chapter which will incorporate key learning to date, remaining uncertainties and important next steps. CMER intends to include this information in the FY 2011 work plan.

As called for in the Adaptive Management Strategic Plan, The DNR Adaptive Management Program issued a contract with Stillwater Sciences to conduct an independent review of CMER committee work since 2000, and to estimate the contribution of currently active projects towards answering the Adaptive Management key questions from the 1999 Forests and Fish Report. The Final Report was completed in April 2009. The report included Work Plan gaps, issues of concern and recommendations. The Policy Group and CMER are working to specifically address each of these issues and incorporate improvements into the FY2011 Work Plan.

The status of active CMER projects can be found on the Adaptive Management Program web page under the “related links” header. There is also a link to final reports for completed projects under this same header. Agendas and minutes of CMER as well as Policy meetings can be found under “related links” header on the CMER webpage.

3.5 Forests and Fish Policy Committee Activity (July 1, 2008 – June 30, 2009)

General Policy Activity

CMER completed several project reports during the 2008-2009 Forest Practices HCP reporting year. However, none resulted in a Forests and Fish Policy committee action recommendation to the Board, primarily because they were methods development reports and/or the initial phases of multi-phase projects.

During 2008 a considerable amount of the Forests and Fish Policy committee’s time was devoted to developing an Adaptive Management Program Strategic Plan (Plan) (Appendix D). This effort began in late 2007, was adopted by the Forests and Fish Policy committee in October 2008 and forwarded to the Board in November 2008. The Plan has four major goals, six objectives and 16 tasks. The goals address four main topic areas: 1) program efficiency and effectiveness; 2) caucus relationships; 3) program funding/communications; and 4) research capability/knowledge. The Plan

is the outcome of a collaborative effort of identifying program strengths, weaknesses, opportunities and threats (SWOT) and then developing goals, objectives and tasks to maintain strengths, capitalize on opportunities, shore-up weaknesses and confront threats. In keeping with state government's effort to practice performance management, tasks under each goal and objective were developed in the SMART form - specific, measurable, attributable, relevant and time bound.

There were several factors contributing to the need for a strategic plan, a few of the most important are: 1) several years of experience implementing the Adaptive Management Program and the need to review, and improve as necessary, the rules, procedures, standards and structure; 2) the need for the Forests and Fish Policy committee to be more engaged in prioritizing the work of CMER and securing supplemental, long-term funding; and 3) a reaffirmation of caucus commitment to the collaborative process. Implementation of Plan tasks began immediately after adoption by the Forests and Fish Policy committee and will be ongoing for at least the next two years. The Adaptive Management Program is challenged by the ambitious timelines in the Plan and an already full workload, but work is progressing on many fronts.

Clean Water Act Assurances

Upon the completion of the Forests and Fish Report in 1999 Ecology and EPA agreed to provide Clean Water Act (CWA) assurances to the State of Washington for a period of ten years. It was assumed ten years would be sufficient time to determine if implementation of the revised rules and Forest Practices Program, including adaptive management, were effective in meeting water quality standards, or putting impaired waters on a trajectory to meeting standards. Ecology began a review of Clean Water Act assurances at the beginning of this year and produced a draft report in May, 2009. The draft report concludes that while much has been accomplished there remains much to do. In particular, Adaptive Management Program research and monitoring projects designed to determine if the rules are effective in meeting water quality standards are not yet complete. Consequently, Ecology is unable to provide conclusive evidence of rule effectiveness. As such, the draft report contains several milestones related to the Adaptive Management Program, including a schedule for individual research and monitoring projects deemed important for Clean Water Act assurances. There is a good deal of overlap between the Ecology draft report and the Adaptive Management Program strategic plan with regard to other program elements (process, structure, funding), thereby reducing the potential for duplicative efforts. While Ecology conditionally extended Clean Water Act assurances based on satisfactory accomplishment of milestones, as of this writing a final report has not been released. It is therefore unclear if the final report will mimic the May 2009 draft.

Forests and Fish Policy Committee Priorities for Fiscal Year 2010

The Forests and Fish Policy committee prioritized their work list in early spring of 2009 and submitted a letter to the Board in May 2009 (Appendix E). High priority work items include: 1) securing long-term supplemental funding for the Adaptive Management Program; 2) implementing high priority Clean Water Act assurance milestones identified in the draft review released by Ecology in May 2009; and 3) implementing other high priority tasks in the Adaptive Management Program strategic plan.

3.6 Adaptive Management Program Website

Adaptive Management Program Website:

www.dnr.wa.gov/BusinessPermits/Topics/FPAdaptiveManagementProgram/Pages/fp_am_program.aspx

CMER Websites:

www.dnr.wa.gov/AboutDNR/BoardsCouncils/CMER/Pages/Home.aspx

Active CMER Projects Website:

www.dnr.wa.gov/BusinessPermits/Topics/FPAdaptiveManagementProgram/Pages/fp_cmer_active_projects.aspx

Completed CMER Projects Website:

www.dnr.wa.gov/BusinessPermits/Topics/FPAdaptiveManagementProgram/Pages/fp_cmer_completed_projects.aspx

3.7 Electrofishing Report

One of the conditions of the Incidental Take Permits relates to electrofishing. The Services asked for an accounting of any electrofishing related to Adaptive Management Program research.

Electrofishing Activity

The only project to incorporate electrofishing as part of the research project is the ongoing project that was reported in last year's 2008 annual report (Appendix F). There were no new projects involving electrofishing related to Adaptive Management Program research between July 1, 2008 and June 30, 2009.

4. Forest Practices Operations

4.1 Introduction

This chapter provides information on two elements of the forest practices program that are specific to forest practices operations. The first element is forest practices guidance. DNR develops internal guidance that provides direction for implementing the Forest Practices Act and rules. The second element is the forest practices program region audits. In 2006, the forest practices program began an internal audit process with the purpose of evaluating delivery of the forest practices program within each of the regional offices.

4.2 Forest Practices Guidance

Forest practices guidance supplements the forest practices rules and Board Manual. The complexity of the rules, details of program administration and variability in the forested environment often pose unique challenges for landowners and DNR staff in implementing the rules across the landscape. Situations commonly arise where neither the rules nor the Board Manual provide enough specificity to resolve a particular implementation issue. Therefore, DNR develops internal guidance that provides direction consistent with established program goals, resource protection objectives and performance targets. New guidance or changes to existing guidance are communicated to region forest practices staff in writing. Guidance that affects cooperating agencies, organizations and landowners is then shared outside of the agency.

DNR created several guidance documents between July 1, 2008, and June 30, 2009. The following is a summary description of the written guidance that has been shared with the forest practices staff:

Summary of written guidance issued to department staff July 1, 2008 – June 30, 2009

Date	Reason for guidance	Accomplishment
6/26/09	Clarification on data collection expectations regarding required landowner/tribe meetings	Informs staff what data is required to track landowner/tribe meetings and the process for obtaining and keeping the data. The master log is used for recording the answer to the questions: 1) Is a landowner/tribe meeting required? and, 2) Did the landowner/tribe meeting take place?
6/22/09	Upgrade to the desired future condition (DFC) computer program	Informs staff and applicants of the internet based DFC version 2.0 that was installed on 7/16/09. Beginning 10/19/09, applicants must submit the DFC worksheet using version 2.0 with their forest practices application forms. The enhanced system preserves an applicant's DFC information in a database.

4/10/09	Updated procedure for processing requests for transfer of jurisdiction from DNR to local governments for Class IV general forest practices applications	Informs staff of the local government entity (LGE) transfer of jurisdiction process. Emphasizes the need to include the transfer worksheet in the packet sent to the forest practices division to allow thorough evaluation of the LGE's request.
3/23/09	Improvements in classifying forest practices applications with watershed analysis prescriptions for unstable landforms.	Clarifies that if prescriptions are not specific to the site, the application will be classified as IV special. Provides examples of specific and non-specific prescriptions. Provides a watershed analysis mass wasting prescription review table.
3/23/09	Forest practices application review and documentation expectations.	Provides the goals, standards, expectations, and procedures for office and field staff to document decisions and actions by DNR.
2/24/09	Precipitation and forecasted stream flow for the 2009 fish survey season. Required by Board Manual Section 13.	Drought is not expected to be a factor in accurately determining the fish presence or absence for most of Washington.
2/19/09	Watershed Analysis Worksheet	A watershed analysis worksheet is required to be included with every forest practices application with watershed analysis prescriptions that are within an approved watershed administrative unit beginning 3/2/09.

4.3 Forest Practices Audits

Information was provided on the forest practices audits in the Forest Practices HCP 2007 and 2008 annual reports. No new work was completed on the audits during FY 2009 due to budget cuts and transition to a new DNR administration. The State intends to refocus on the audits and has a priority list of steps to be accomplished:

- Follow-up with the completed phase I audits to see what actions have been taken
- Finalize non-finalized phase I audits
- Move to phase II of the audit process (external relationships)

5. Small Forest Landowner Office

5.1 Introduction

The Small Forest Landowner Office serves as a resource and focal point for small forest landowner concerns and policies. The office has a mission to promote the economic and ecological viability of small forest landowners. The office was created in 1999 when the Forests and Fish rules were passed. The new rules resulted in increased size of riparian buffers and created further measures to protect water quality and restore salmon habitat. The Washington Legislature recognized that the Forests and Fish rules would have a disproportionate effect on small, family-owned forests. The Legislature, to help small landowners retain their forestland and not convert the land to another land use, authorized the creation of a Small Forest Landowner Office within DNR. This office was directed to assist small landowners and begin assessing ways in which policies could be crafted to support small forest landowners.

This chapter describes two small forest landowner incentive programs: The Forestry Riparian Easement Program (FREP) and the Family Forest Fish Passage Program (FFFPP). Both were developed by the Small Forest Landowner Office to assist small forest landowners. As of June 30, 2009, the State has purchased 278 Forestry Riparian Easement Program conservation easements on over 5,300 acres of forest land that is adjacent to over 150 miles of streams. The Family Forest Fish Passage Program has a total of 626 fish passage barriers entered in the program. Of those, 165 have been repaired since 2003.

5.2 Forestry Riparian Easement Program

Provisions included in the 1999 legislation created the Forestry Riparian Easement Program (FREP) that is managed by the Small Forest Landowner Office. The easement program acknowledges the importance of small forest landowners and the contributions they make to protect wildlife habitat and water quality.

FREP compensates eligible small forest landowners in exchange for a 50-year easement on those lands with “qualifying timber.” Qualifying timber are those trees the landowner is required to leave unharvested as a result of forest practices rules protecting Washington’s aquatic resources. Landowners cannot cut or remove any qualifying timber during the life of the easement period. The landowner still owns the property and retains full access, but has “leased” the trees and their associated riparian function to the state. DNR does not evaluate the merits of FREP applications. The applications are processed and purchased in the order received, commensurate with available funding.

The Legislature did not fund FREP for the 2009-11 biennium. As directed in rule, the Small Forest Landowner Office will continue to accept FREP applications in anticipation of future funding. The following table “Forestry Riparian Easement Program Capital Budget Summary” provides additional information.

**Department of Natural Resources
Small Forest Landowner Office
Forestry Riparian Easement Program
Capital Budget Summary**

	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	Totals
	<i>7/1/01-6/30/02</i>	<i>7/1/02-6/30/03</i>	<i>7/1/03-6/30/04</i>	<i>7/1/04-6/30/05</i>	<i>7/1/05-6/30/06</i>	<i>7/1/06-6/30/07</i>	<i>7/1/07-6/30/08</i>	<i>7/1/08-6/30/09</i>	
Holdovers from Waiting List	—	28	43	50	59	97	114	116	
Applied during FY	36	36	36	38	72	57	44	36	355
Total Applicants on List in FY	36	64	79	88	131	154	158	152	
Easements Purchased	8	21	29	29	34	40	42	75	278
Waiting List	28	43	50	59	97	114	116	77	
Amount Appropriated	\$3,750,000		\$4,000,000		\$8,000,000		\$10,300,000		\$26,050,000
Amount used for FTE's					\$300,000		\$560,000		\$860,000
Amount Spent	\$680,000	\$3,070,000	\$1,850,000	\$1,497,350	\$2,892,000	\$4,808,000	\$4,079,000	\$5,500,000	\$24,376,350
Amount Remaining				\$652,650				\$161,000	
Average Value of Easement per FY	\$85,000	\$146,190	\$63,793	\$51,633	\$85,059	\$120,200	\$97,119	\$73,333	
Cumulative Average Value of Easement	—	\$129,310	\$96,552	\$81,579	\$82,557	\$91,909	\$92,987	\$89,501	
Amount Requested	\$5,000,000?		\$5,000,000		\$13,050,000		\$13,800,000		

Dollar values include all costs associated with easement acquisition

Table 1 summarizes the number of eligible Family Forest Fish Passage Program applications received and fish barrier sites identified each year. Also shows the number of fish barrier sites funded and fixed, and miles opened. Not all projects are fixed in year they were funded.

Family Forest Fish Passage Program - Summary of Rounds Updated 08/12/09 Till

	Round 1	Round 2	Round 3	Round 4	Round 5	Round 6	Round 7	Total All Rounds
Application Period	12/03 - 2/04	2/04 - 6/30/04	7/1/04 - 6/30/05	7/1/05 - 6/30/06	7/1/06 - 6/30/07	7/1/07 - 6/30/08	7/1/08 - 6/30/09	
Application Year	2003	2004	2005	2006	2007	2008	2009	
Eligible Applications	61	72	86	63	44	60	56	442
Eligible Sites	101	104	135	73	54	80	79	626
# in Western WA	75	80	98	41	32	69	48	443
% in Western WA	74%	77%	73%	56%	59%	86%	61%	71%
# in Eastern WA	26	24	37	32	22	11	31	183
% in Eastern WA	26%	23%	27%	44%	41%	14%	39%	29%
Funded Sites	34	26	38	21	33	28	0	180
Completed Projects	29	20	26	24	37	29		165
Fixed in	2004	2005	2006	2007	2008	2009	2010	
# in Western WA	29	15	24	17	21	25		131
% in Western WA	100%	75%	92%	71%	57%	86%		78%
# in Eastern WA	0	5	2	7	16	4		34
% in Eastern WA	0%	25%	8%	29%	43%	14%		21%
Miles Opened Statewide	43.49	74.76	63.13	68.37	101.66	42.40		393.81

5.3 Family Forest Fish Passage Program

The Family Forest Fish Passage Program was developed in 2003 to provide regulatory relief to small forest landowners from the cost of complying with the Forests and Fish rule requirement for fish passage barriers.

Because eliminating fish passage barriers can be costly, especially for the family forest landowner, the 2003 Washington Legislature established the Family Forest Fish Passage Program (RCW 76.13.150). In general, the bill required that:

- The state creates a cost-share program that would provide 75-100 percent of the cost of correcting small forest landowners' fish barriers.
- Small forest landowners enrolling in the program would be required to fix their barriers only if financial assistance is available from the state.
- Barriers be prioritized and repaired on a "worst-first" basis.
- Once a year, projects submitted to the program are prioritized, and fish barrier corrections providing the greatest benefit to public resources are funded. Lower priority projects remain in the program to be funded once they become higher priority and money is available.
- By signing up for the program, a landowner is relieved of any forest practices obligation to fix a fish passage barrier until the state determines the barrier is a high priority.

Three state agencies cooperate to manage and fund the program:

- The Small Forest Landowner Office at DNR is the main point of contact for program information. The office assists landowners, provides outreach and coordinates additional funding sources.
- WDFW is responsible for evaluating the degree of the barrier; habitat quality of the stream; and ranking barriers for repair.
- The Recreation and Conservation Office (RCO) administers program funding and provides information on program contracts, billing and reimbursement.

More information about each agency's role and responsibilities, along with other entities' involvement (Washington Farm Forestry Association, conservation districts, regional fisheries enhancement groups, tribes), can be found in the revised Memorandum of Understanding for the Family Forest Fish Passage Program (Appendix K).

The Family Forest Fish Passage Program has assisted many small landowners since its inception. See the table on page 35, *Family Forest Fish Passage Program, Summary of Rounds 1 through 7*, for fiscal year details on the program. In summary, since 2003 there have been 626 barriers entered in the program and put on the list for repair. One hundred and sixty-five fish passage barriers have been repaired, 131 on Westside and 34 on Eastside. This has opened 393 miles of stream.

WDFW Ranking of Fish Passage Barriers for Family Forest Fish Passage Program

Family Forest Fish Passage Legislation (RCW 77.12.755) directs repair of worst barriers first starting with barriers lowest in the watersheds. To identify and prioritize the worst barriers, WDFW rates the barriers enrolled in the Family Forest Fish Passage Program on the following criteria:

- Number of fish species benefiting
- Amount and quality of habitat opened
- Degree of fish barrier
- Number and location of other barriers and the degree of those barriers

Additional prioritization considerations:

- Concurrence from Lead Entity Watershed groups (groups that take the lead on salmon habitat recovery plans in the watershed)
- Cost effectiveness

For prioritization work, information is obtained from

1. WDFW field biologists to determine the amount of habitat upstream of the barrier with gradients less than 20 percent
2. Foresters or tribal biologists. It is also supplied by contractors who walk the streams and evaluate barriers and habitat quality
3. The existing WDFW fish passage inventory
4. Regional fish enhancement groups, conservation districts and Lead Entity Groups.

Projects are scored to provide an initial list that is evaluated by the three state agencies - DNR, RCO, and WDFW - and sent to lead entity groups for concurrence. This information along with project cost estimates are provided to the Family Forest Fish Passage Program Steering Committee for final funding decisions.

Information on the fish passage barriers obtained from site visits is placed in the WDFW Fish Passage Inventory. The inventory includes those stream crossings that have been identified through Washington State Department of Transportation inventories, local government inventories, barriers identified in Family Forest Fish Passage Program stream checks, and local inventories funded by the Salmon Recovery Funding Board.

Status

Approximately seven counties have completed private road inventories. During this reporting period there were no new additional county inventories completed but several previous inventories were updated.

WDFW has identified and evaluated approximately less than half of the stream crossings in the state.

Program Challenges

The Family Forest Fish Passage Program is a voluntary program that allows small landowners to sign up to correct fish passage barriers on their road crossings with assistance from the program. The State provides 75 percent to 100 percent of funding for the barrier correction. Some landowners are reluctant to sign up with the state and will not allow access to their land.

Some small forest landowners who have not harvested may not be aware of what a fish barrier is or that there is a cost share program available to assist in the correction. These barriers may not be recognized until the landowner submits a forest practices application when they will have to address any fish passage issues in the application area.

The dynamic nature of fish passage barriers is a challenge to WDFW's knowing and ranking all fish barriers in the state. New barriers form and some are eliminated in major rain and flood events. For example, a culvert that was not a barrier last year may be a barrier this year. A culvert that was a barrier may have blown out in a major precipitation event and is no longer a barrier. Maintaining fish passage barrier inventories is an ongoing process. The degree to which a higher percentage of barriers are known depends upon funding for state or contract staff to walk streams, staff training and monitoring, and interfacing and managing data.

Most current inventories are road-based and only a few of the inventories are stream-based inventories. Stream-based inventories are needed to identify old overgrown logging roads and private dams. The inability to get permission to access private land is a significant challenge encountered in stream-based inventories.

One problem with contracting out inventories has been reduced quality control as a result of different inventory emphasis and implementation.

Outreach

Outreach continued in 2008. For Round 7, 56 eligible applications were received on 79 sites marking a small decrease from Round 6 (see Table 1 - Family Forest Fish Passage Program - Summary of Rounds). It is unclear why the decrease occurred, but outreach efforts in various venues and methods will continue to attract landowners to the program.

Survey cards were distributed at the northeastern Washington Family Forest Field Days in June of 2009. Of the 117 returned cards only 19 percent of the landowners wanted additional information on the Family Forest Fish Passage Program. However, a 26 percent increase in eastern Washington eligible applications were received for 2008 indicating that outreach efforts in eastern Washington have been successful.

Further 42 percent of the landowners are traveling an average of 259 miles to their eastern Washington forest properties. This indicates that a strong share of landowners are western Washington based. For FY 2010, increased efforts will be made to western Washington groups to share Family Forest Fish Passage Program information and the program eligibility requirements for eastern Washington properties.

The Recreation and Conservation Office/DNR/WDFW Fish Passage Team will continue updating outreach materials and distributing information to help educate landowners about the program. This includes:

1. PowerPoint presentations to groups around the state,
2. Follow-up on watershed based mailers targeting small forest landowners in areas of low applications informing of the opportunity for funds for culvert replacement,
3. Distribution of program brochures and materials, *Family Forest Fish Passage Program*,
4. Program report mailed to WDFW and DNR staff who work with forest landowners,
5. Targeted mailings to landowners with known barriers in nine counties via a brochure, *Do you have roads with stream crossings on your forestland?*
6. Family Forest Fish Passage Program presentations at Washington Farm Forestry Association meetings, and
7. Family Forest Fish Passage Program stations at Family Forest Field Days.

Due to the state budget situation, the Fish Passage Team was not able to develop a DVD promoting the program to small forest landowners. It will be pursued again when funding is available.

The Fish Passage Team continues collaboration with watershed lead entity groups, regional fish enhancement groups, Farm Forestry groups, Tribes, conservation districts and county extension offices with information on the program. This information is often included in collaborator groups' web pages and newsletters.

Successful partnerships with several agencies, tribes, and landowner groups throughout the state have helped get the Family Forest Fish Passage Program information out to a diverse audience of forest owners. As the Program experiences more success installing these projects statewide, finding additional partners interested in working with the program and helping to recruit applicants is becoming easier.

Coordination with Watershed Groups

Coordination with watershed lead entity groups is required by the Family Forest Fish Passage Program. These groups are contacted once a year and given information on those projects the Fish Passage Team has listed as "Potential High Priority" and asked for their comments. For most watershed lead entity groups, the Program is a complement to their projects. The Program's projects are not in the same footprint as lead entity group projects which are mostly low in each watershed on lands not owned by small forest landowners.

Cost Analysis

Previous reporting periods showed increases in fuel and steel prices that significantly increased the costs of the projects. With the national economy in recession, 2008 showed a strong decrease in material and labor costs. Hence anticipated project cost is down by approximately 10 percent. This will result in additional projects being funded for 2009.

Unforeseen issues or low cost estimations on large projects are a possibility when working with fish barrier correction. Significant cost increases are sent to WDFW engineers for review. Projects that are not engineered by Family Forest Fish Passage Program contractors are reviewed by WDFW engineers to ensure projects are not over or under designed. Cost increases over 20 percent must go to the Family Forest Fish Passage Program Steering Committee for approval.

5.4 Small Forest Landowner Office Reports

DNR submitted two Small Forest Land Owner legislative reports during the 2009 Legislative session; the Road Maintenance and Abandonment Plan Checklist Report and the 2008 Demographic report.

The purpose of the Road Maintenance and Abandonment Plan (RMAP) Checklist Report was to update the legislature on the extent and effectiveness of the RMAP Checklist. The report can be found electronically at:

www.dnr.wa.gov/Publications/fp_sflo_rmap_legreport_2008.pdf

The demographic report is required every four years. The report provides data required by the legislature which estimates the number of small forest landowners and the forestland acreage owned by small forest land owners in Washington. The report can be found electronically at:

www.dnr.wa.gov/Publications/fp_sflo_demo_legreport_2008.pdf

The 2008 Family Forest Fish Passage Program Implementation Report was also produced (Appendix G). It was written for a wide variety of audiences. The report serves as an accomplishments report and as a marketing tool to attract new landowners to apply for the program. The report was produced in concert with Recreation and Conservation Office and WDFW and can be found electronically at:

www.dnr.wa.gov/Publications/fp_sflo_ffpp_imp08.pdf

6. 20-Acre Exempt Riparian Forestland

6.1 Introduction

In 1999, Washington's Legislature exempted certain forestland parcels from some riparian protection measure requirements adopted by the Board. Exempt parcels include those that are 20 contiguous acres or less and are owned by individuals whose total ownership is less than 80 forested acres statewide. These parcels are commonly referred to as "exempt 20-acre parcels." While not subject to some Forests and Fish riparian protection requirements, exempt 20-acre parcels must still provide protection for public resources in accordance with the Forest Practices Act.

In arriving at their permitting decisions, the Services concluded that they would condition the Incidental Take Permits regarding 20-acre exempt forest practices applications. Conditions require the State to do something in addition to what was proposed in the Habitat Conservation Plan (HCP). These conditions include:

- Requiring leave trees be left along Type Np (non fish-bearing, perennial) waters for riparian function.
- Providing eligibility criteria for coverage of 20-acre exempt parcels under the Incidental Take Permits.
- Defining coverage thresholds for 20-acre exempt parcels in each watershed analysis unit and water resource inventory area.
- Outlining certain spawning and rearing habitat of bull trout (also known as "Bull Trout Areas of Concern") where Incidental Take Permit coverage may not apply.

6.2 Type Np Water Leave Tree Requirements

WAC 222-30-023(3) states that DNR will require trees to be left on Np waters on 20-acre exempt parcels where such practices are needed to protect public resources. The Services concluded that leaving trees along Np waters is necessary in most situations. The Incidental Take Permits have a condition which states "permittee (Washington State) shall require trees to be left along Type Np waters under the 20-acre exemption unless such leave trees are not necessary to protect covered species (public resources) and their habitats." In order to implement this Incidental Take Permit condition, a guidance memo was written September 26, 2006 and delivered to DNR region forest practices staff clarifying that "henceforth FPAs should be conditioned to require leave trees along Type Np waters within exempt 20 acre parcels unless DNR determines this is not necessary". See 2007 Forest Practices HCP Annual Report for a copy of the guidance memo.

There were three forest practices applications associated with 20-acre exempt parcels that had Type Np waters during the period from July 1, 2008 to June 30, 2009. Two of the applications (or two-thirds) were conditioned according to the Np guidance memo which reflects WAC 222-30-023(3).

6.3 Watershed Analysis Unit and Water Resource Inventory Area Thresholds

In the Incidental Take Permits the Services defined permit coverage thresholds for watershed analysis units and water resource inventory areas. The Services placed a 10 percent threshold on cumulative reduction in riparian function as measured by recruitable large woody debris within a watershed analysis units for 20-acre exempt parcels. In addition, the Services placed a 15 percent

threshold for when the watershed analysis units that exceed the 10 percent reduction in function within a water resource inventory area have a cumulative stream length that exceeds 15 percent of the total stream length within the water resource inventory area. When a threshold within a watershed analysis units or water resource inventory area is reached, subsequent forest practices applications with 20-acre exempt parcels within those watershed analysis units or water resource inventory areas will not be covered by the Incidental Take Permits unless the landowner chooses to follow standard Riparian Management Zone (RMZ) rules instead of the 20-acre exempt RMZ rules. The State has adopted a method, approved by the Services, to estimate possible cumulative percent reduction of potential large woody debris recruitment function by watershed analysis unit and percent cumulative stream length affected by water resource inventory area.

6.4 Cumulative Reduction in Function Calculation Methodology

A formula called the Equivalent Area Buffer Index (Buffer Index) is helping determine the possible percent reduction in function as measured by large woody debris along fish bearing streams. The Buffer Index was developed for the Forest Practices Habitat Conservation Plan (Forest Practices HCP) Environmental Impact Statement (EIS) as a tool for comparing alternatives in terms of the level of ecological function conserved by various management practices. The Buffer Index for large woody debris recruitment potential is a quantitative measure that compares the potential of a riparian area to provide woody debris to streams originating from tree mortality, windthrow, and bank undercutting (a function of slope distance from the stream channel in relationship to tree height). The Buffer Index methodology takes into account management activities within the buffer zone. The Buffer Index value is determined based upon the mature conifer curve of large woody debris recruitment potential by McDade et al. (1990) that relates cumulative percent of large woody debris recruitment with distance from the stream bank in terms of tree height. The Forest Practices HCP EIS provides average Buffer Indexes for western and eastern Washington. These averages are used each year to estimate the potential cumulative reduction in large woody debris recruitment function as represented by the 20-ac exempt forest practices applications submitted to DNR during the fiscal year.

An example explaining the Equivalent Area Buffer Index formula follows:

- Step 1 - Consider a fish-bearing or Type F stream in western Washington. The assumptions for the RMZ of this stream include a Channel Migration Zone (CMZ) that is 10 feet wide, followed by a 50-foot core zone, followed by a 60-foot inner zone in which a light selection harvest is assumed (30 percent volume removal), followed by a 45-foot outer zone in which a moderate-heavy selection harvest is assumed (70 percent volume removal). This gives a total RMZ width of 155 feet including the 10-foot CMZ. The total RMZ width of 155 feet is based on an average of Site Class II and III areas $[(140+170)/2]$, which represent the most common site classes on forestland covered by the Incidental Take Permits.
- Step 2 - Next, it is necessary to go to the McDade (1990) mature conifer curve. The McDade curve has been standardized for 155 feet, as the buffer distance that assumes full protection for the 100-year Site Potential Tree Height. This curve reads the cumulative percentage of large woody debris contribution in relation to the distance from the stream. In our example, we need to determine the percent of the total large woody debris contributed by the different RMZ zones (e.g., 0-10 ft., 10-60 ft., 60-120 ft., and 120-165 ft.). The values from McDade are 17 percent for the 0-10 foot zone, 62 percent for the 10-60 foot zone, 18 percent for the 60-120 foot zone, and 3 percent for the 120-165 foot zone.

- Step 3 - The last step is to multiply the contribution percentage by the tree retention percentage for each RMZ zone and sum them up.

$$(0.17 \times 1.0) + (0.62 \times 1.0) + (0.18 \times 0.7) + (0.03 \times 0.3) = 0.925$$

- Step 4 – Results

Therefore, the RMZ on Type F streams in western Washington would provide for an estimated 92.5 percent of full large woody debris recruitment potential, given the assumption that full recruitment potential is achieved at a buffer width equal to the 100-year Site Potential Tree Height.

Annual in-office calculations of reduction in function

An estimate of reduction in function by watershed analysis unit is calculated annually and reported in the Forest Practices HCP annual report. Average Buffer Index values are used to calculate the overall possible reduction in function by watershed analysis unit. The average Buffer Index values used for the annual report calculations are taken from the Forest Practices HCP EIS and can be found in Appendix B page B-28. These EIS average Buffer Index values were obtained through modeling harvests based on both forest and fish rules and pre-forest and fish rules. Many assumptions went into the modeling effort including degree of harvest, width of riparian area, stream width, etc. An end result of the harvest modeling was the development of average values for an overall Buffer Index for eastern and western Washington for harvests complying with forest and fish rules as well as with pre forest and fish rules.

The EIS average Buffer Index values for forest and fish rules are used in our calculations without modification; however, an additional 15 percent was added to the EIS average Buffer Index values for pre-forest and fish rules because the 1999 Salmon Recovery Act required 20-acre exempt landowners to protect an additional 15 percent of riparian trees above pre-forest and fish rules. The average reduction in function value was calculated by subtracting the pre forest and fish Buffer Index values from the forest and fish Buffer Index values for a percent reduction in function. Below are the Buffer Index values and reduction in function factors used for the Forest Practices HCP Annual Report.

Equivalent Area Buffer Indexes (EBAI)

Western Washington:

EBAI average for Forests and Fish Rules = 0.93

EBAI average for Rules prior to Forests and Fish = 0.60

EBAI average for New 20-acre exempt rules = $0.60 \times 1.15 = 0.69$

Average Reduction in function factor = $0.93 - 0.69 = 0.24$

Eastern Washington:

EBAI average for Forests and Fish Rules = 0.91

EBAI average for Rules prior to Forests and Fish = 0.67

EBAI average for New 20-acre exempt rules = $0.67 \times 1.15 = 0.77$

Average Reduction in function factor = $0.91 - 0.77 = 0.14$

The number of feet of fish bearing stream impact by forest practices application is tracked throughout the year. The total number of feet in each watershed analysis unit is calculated for the fiscal year and then multiplied by 0.24 in western Washington and 0.14 in eastern Washington to

derive the number of feet of possible large woody debris recruitment potential reduction in function. These numbers are summed over the years and then divided by the total fish bearing stream length in the watershed analysis unit to determine percent cumulative reduction in function.

During the 50-year permit period, if the 10 percent threshold is reached within a watershed analysis unit, all subsequent 20-acre exempt landowners submitting an forest practices application will be informed that their forest practice application will not be covered by the Incidental Take Permits unless they choose to use standard RMZ buffers on their 20-acre parcel.

The following table contains the cumulative in-office calculations of possible reduction in function by watershed analysis unit for the time period of June 5, 2006, to June 30, 2009. In addition, three maps display the location of approved 20-acre exempt forest practices application for timber harvest for the following timeframes: FY 2007-2008 (Appendix H-1); FY 2008 to FY 2009 (Appendix H-2); and cumulatively from June 5, 2006 (when the Incidental Take Permit were signed) to June 30, 2009 (Appendix H-3).

Estimated Percent Loss of Large Woody Debris (LWD) Recruitment Potential by Watershed Analysis Unit (WAU)

<u>Watershed Administrative Unit</u>	<u>% Reduction in LWD Function in WAU</u>
Acme	0.0519
Antonie Creek	0.0187
Bellingham Bay	0.0243
Blanchard Creek	0.0401
Bunker Creek	0.0381
Cathlapotl	0.0397
Cedar Creek/Chelatchie Creek	0.1815
Chehalis Slough	0.1616
Chinook	0.0214
Church Creek	0.2563
Coal Creek	0.0542
Colvos Passage/Carr Inlet	0.0432
Connelly	0.1657
Cottonwood Creek	0.0173
Cowlitz River/Mill Creek	0.0842
Damfino/Diobsud Creek	0.1438
Deadman Creek/Peone Creek	0.0373
Delezene Creek	0.0551
Discovery Bay	0.0134
Dragoon Creek	0.0307
Drayton	0.0728
Dyes Inlet	0.1312
East Fork Humptulips	0.0994
Electron	0.0211
Elk River	0.0073
Friday Creek	0.2350
Gilligan	0.0479

Grays Bay	0.0079
Haller Creek	0.0430
Hansen Creek	0.0314
Harstine Island	0.1057
Hoko	0.0037
Horseshoe Falls	0.1846
Huckleberry Creek	0.0192
Hutchinson Creek	0.0927
Independence Creek	0.1275
Johns River	0.0052
Lower Pilchuck Creek	0.0473
L.Snoqualmie River/Cherry Creek	0.0050
Lacamas	0.0381
Lacamas Lake	0.0872
Lake Whatcom	0.0700
Little Spokane/Deer Creek	0.0380
Little Washougal	0.0556
Lost Creek	0.9051
Lower Chehalis/Elizabeth Creek	0.0128
Lower Coweeman	0.0587
Lower Humptulips River	0.0213
Lower Kalama	0.0545
Lower Naselle	0.0226
Lower NF Stilly	0.0100
Lower Newaukum	0.2003
Lower Pilchuck river	0.0420
Lower Willapa	0.1502
Lynch Cove	0.0135
Mashel	0.0167
Mason	0.0589
MF Satsop	0.0336
Middle Humptulips	0.0186
Mill Creek	0.0186
Mitchel	0.0377
Mox Chehalis	0.1067
Mt Zion	0.0318
Nineteen Creek	0.1897
North Headwaters	0.0492
North-Middle Forks Deer Creek	0.0328
Olequa	0.0211
Ostrander	0.2036
Otter Creek	0.0177
Packwood Lake	0.0827
Patit Creek	0.0518
Pend Oreille/Cedar Creek	0.0398
Quilceda Creek	0.0342
Quinault Lake	0.1143

Rock Creek	0.0093
S. Sinclair Inlet	0.0261
Salmon Creek	0.0377
Salt Creek	0.1358
Samish Bay	0.0355
Samish River	0.0836
Satsop	0.0546
Sekiu	0.0216
SF Skokomish	0.1134
SF Sky River	0.0201
SF Willapa	0.0170
Smith Creek	0.0214
Squalicum Creek	0.0709
St. Peter-Lambert	0.0248
Stillaguamish Flats	0.0163
Tacoma Creek	0.1030
Toutle River	0.0547
Upper Chehalis/Rock Creek	0.0092
Upper Coweeman	0.0328
Vancouver	0.0732
Vashon Island	0.0502
Vesta Little N.	0.0054
Whidbey Is.	0.0735
Whidby Island	0.0432
Winston Creek	0.0236
Wishkah Headwaters	0.0562
Woodland Creek	0.1761
Woods Creek	0.0107
Wynochee River System	0.0097
Yacolt	0.0735

The table above shows estimated potential percent loss of large woody debris recruitment potential in each watershed analysis unit containing one or more forest practices applications over the three year time period of the Incidental Take Permits. There are a total of 846 watershed analysis units in the state of which 104 have some measure of possible reduction in potential large woody debris recruitment function. Currently, in-office calculations indicate that all watershed analysis units have less than the possibility of 1 percent cumulative reduction in function. The largest possible impact is in Lost Creek Watershed Analysis Unit which only has a total of 23,172 feet of fish bearing stream length in the entire watershed analysis unit. In-office calculations of proposed forest practices applications show a possibility of 0.9 percent potential reduction of large woody debris recruitment function in Lost Creek Watershed Analysis Unit. There are four watershed analysis units that show a possibility of 0.2 percent reduction in function including Church Creek, Friday Creek, Lower Newaukum, and Ostrander Watershed Analysis Units. Sixteen watershed analysis units indicate the possibility of 0.1 percent reduction in function and all other watershed analysis units listed in the above table show the possibility of less than 0.1 percent reduction in function since the 2006 issuance of the Incidental Take Permits.

6.5 Data Collection for Watershed Analysis Unit Threshold

Reduction in Function within Watershed Analysis Units

An ongoing field audit was initiated in September 2008 on a subset of 20-acre exempt forest practices applications to help verify that in-office possible reduction in function estimates are sufficient for tracking potential reduction in function and to ground-truth what is actually happening on the application sites. State forest practices staff collects data during routine compliance visits to the forest practices application sites including actual width of RMZ; percent of trees left after harvest; and length of RMZ.

Since September 2008, 29 20-acre exempt forest practices applications have been visited during normal compliance activities. On these 29 forest practices applications, 39 stream segments were observed. The field visits showed no harvest in the riparian area on 74 percent of the segments and a minimal 1 percent to 4 percent harvest on another 10 percent of the segments, or 84 percent of 20-acre exempt forest practices application with virtually no harvest in the riparian area. These numbers indicate the vast majority of 20-acre exempt landowners are treating the fish bearing riparian areas as no harvest areas. Additionally, the field data indicate that actual widths of riparian areas are sometimes wider than is required by the forest practices rules.

Field data will continue to be recorded and reported. This first year of field data supports the use of the adopted in-office estimating process for calculating possible reduction in function. The data shows that many landowners may be leaving more trees in the riparian area than required by 20-acre exempt rules. Given that, the in-office calculations may over estimate actual reduction in function by watershed analysis unit because landowners may be leaving more trees in riparian areas than was predicted when the EIS Equivalent Area Buffer Index averages were calculated.

Cumulative Stream Length for Water Resource Inventory Areas (WRIAs)

A fish-bearing baseline stream length was calculated for all water resource inventory areas. As in office calculations indicate that watershed analysis units may be reaching the 10 percent threshold, the State will compare the total stream length in each watershed analysis unit to determine when the 15 percent threshold by water resource inventory area could possibly be reached. The State will then be able to inform landowners that subsequent forest practices applications within the water resource inventory area that are associated with 20-acre exempt parcels will no longer be covered by the Incidental Take Permits, unless individual landowners choose to apply standard RMZ rules on their 20-acre exempt forest practice. Currently, there are no watershed analysis units that show a possibility of being near the 10 percent threshold for reduction in function; therefore, no water resource inventory areas are currently at risk for reaching the 15 percent stream threshold.

6.6 Bull Trout Areas of Concern

The Services conditioned the Incidental Take Permits regarding specific identified spawning and rearing habitat areas for bull trout. These areas are of concern because of extremely low populations of bull trout. The condition states that a forest practice which qualifies for and uses the 20-acre exempt riparian rules and falls within these bull trout areas of concern will not be covered by the Incidental Take Permits unless the forest practice is shown to not measurably diminish the level of riparian function. The function is measured by recruitable large woody debris and is compared to the level of function that would have been provided by the standard forest practices rules. The State and the Services developed a process to track forest practices in

these bull trout areas of concern. A copy of the process was included in last year's Forest Practices HCP Report. Since then, the process was modified slightly (Appendix I).

There was a single forest practices application associated with 20-acre exempt parcels in the bull trout areas of concern during the reporting period from July 1, 2008 through June 30, 2009. It was determined that the forest practices application did not measurably diminish function as no harvest occurred within 86 feet of the fish-bearing stream.

6.7 20-Acre Exempt Forest Practices Application Data

The total number of approved forest practices applications during the reporting period (July 1, 2008 to June 30, 2009) was 4849 (4041 excluding renewals). Following is additional data of interest regarding 20-acre exempt parcels.

Number of 20-acre Exempt Forest Practices Applications (FPAs) for FY 2009

Total # of 20-acre FPAs with fish-bearing water	47
Total # of 20-ac exempt FPAs that were conversions with fish-bearing water	7
Total # of 20-ac exempt FPAs with fish-bearing water that were not conversions	40
Total # of 20-ac exempt FPAs that were in Bull Trout Areas of Concern	1

7. Alternate Plans, Riparian Open Space Program

7.1 Introduction

This chapter provides information about two areas of interest to the Services—alternate plans and the Riparian Open Space Program. Alternate plans are forest practices plans that deviate from standard forest practices rules but provide public resource protection equal in overall effectiveness as the standard rules. The Riparian Open Space Program is an incentive program provided to landowners for trees left unharvested in the channel migration zone.

7.2 Alternate Plans

An alternate plan is a tool forest landowners can use to develop site-specific management plans for forest practices regulated under the Forest Practices Act. An alternate plan may deviate from the standard forest practices rules, as long as the plan provides public resource protection at least equal in overall effectiveness to the protections afforded by the Act and rules. WAC 222-12-0401 describes the alternate plan process, including the review by interdisciplinary teams.

The following table shows the number and status of forest practices applications submitted that included an alternate plan during the period from July 1, 2008 to June 30, 2009:

Landowner Type	Status of Forest Practices Applications with Alternate Plans				Total
	Approved	Disapproved	In Review	Closed Out	
Large	37	3	1	2	43
Small	18	2	2	2	24
Total	55	5	3	4	67

7.3 Riparian Open Space Program

Like the Forest Riparian Easement Program, the Riparian Open Space Program was a product of the 1999 Forests and Fish Law (Engrossed Substitute House Bill 2091). It was codified in the Forest Practices Act (chapter 76.09 RCW) and adopted as a rule in chapter 222-23 WAC. In the 2009 Washington State Legislative session a new bill (HB 5401) was passed and signed into law that amended the Riparian Open Space Program. Since the 2001-2003 biennium, the Riparian Open Space Program was administered through DNR Asset Management and Protection Division. The Riparian Open Space Program will now be administered through DNR Forest Practices Division because of the 2009 changes and will likely be given a new program name.

The Riparian Open Space Program, as well as the revised program, differs from the FREP program in that it is available to all forest landowners, not just small forest landowners. The Riparian Open Space Program and the revised program ensures the long-term conservation of aquatic resources by acquiring conservation easements on lands and timber within a specific type of channel migration zone (CMZ) known as an “unconfined avulsing channel migration zone.” Under the new program, conservation easements can be purchased for the conservation of all CMZ’s as well as Forest Practices Board required upland habitat for Board recognized threatened and endangered species.

A CMZ is the area where the active channel of a stream is prone to move in the near term. Unconfined avulsing CMZs are areas where abrupt shifts in stream or river location may occur, resulting in a complex floodplain environment. These areas typically have very high ecological value as spawning and rearing habitat for salmon and other fish species. Under the forest practices rules, no timber harvesting or road construction may occur within CMZs due to their ecological importance. The Riparian Open Space Program provided financial compensation for owners of unconfined avulsing CMZs who voluntarily sell the land to DNR or place a permanent conservation easement on the trees, land or both. The new program will be limited to purchase of permanent conservation easements only.

DNR screens applications, prioritizes qualifying applications and acquires lands based on available funding. Applications are prioritized based on the order received, the ecological value of the land(s) and the immediacy of need on the part of the landowner.

The following chart shows the budget allocated by the Washington Legislature for the Riparian Open Space Program and acres purchased since program inception.

Riparian Open Space Program Budget and Acres Purchased

Fiscal Year	Budget Allocated	Amount Spent	Number of Transactions	Acres Purchased
01-03	\$1,000,000	\$1,000,000	3	387
03-05	\$1,000,000	\$500,000	5	197
05-07	\$2,000,000	\$0	0	0
07-09	\$2,200,000	\$2,200,000	4	339
09-11	\$500,000			

The \$500,000 left over from FY03-05 was reallocated for FY05-07. All of the \$2 million from FY05-07 was reallocated for FY07-09. There were no transactions for FY05-07 because applicants withdrew due to value lower than anticipated or not eligible.

8. Compliance Monitoring Program

8.1 Introduction

Compliance monitoring is an important and major element of the Forest Practices HCP. One of DNR's responsibilities is to ensure that operators and landowners are complying with the forest practices rules when conducting forest practices activities. According to WAC 222-08-160 (4), "DNR shall conduct compliance monitoring that addresses the following key question: 'Are forest practices being conducted in compliance with the rules?' DNR shall provide statistically sound, biennial compliance audits and monitoring reports to the Board for consideration and support of rule and guidance analysis. Compliance monitoring shall determine whether forest practices rules are being implemented on the ground. An infrastructure to support compliance will include adequate compliance monitoring, enforcement, training, education and budget."

The objective of the compliance monitoring program is to determine if forest practices are being conducted in compliance with the forest practices rules in effect at the time. To reach this end, the goals of the compliance monitoring program are as follows:

- Develop methods to streamline and maintain a cost effective field review compliance monitoring process.
- Provide relevant and accurate information to the Adaptive Management Program (AMP) to modify or to clarify the rules in order to improve compliance.
- Identify opportunities to provide education (especially for complex forest practices rule categories) for landowners, regulators, consultants, and operators as suggested by non-compliance rates.
- Provide information for rule and Forest Practices Board Manual revision if necessary.
- Provide results to the Services and the Environmental Protection Agency, where applicable.

The framework for the compliance monitoring program includes the following components:

- The results must be credible and defensible.
- The Program will develop sampling methods, sample size, selection criteria, and reporting format.
- The sampling design will provide required information over time.
- The Program must be sustainable, adjustable, easily understood, and manageable.

8.2 Compliance Monitoring Program Design

In 2006, an internal working group led by DNR and consisting of representatives from DNR's Forest Practices program, Ecology, and WDFW completed a compliance monitoring Program Design focusing on RMZ rules for all typed waters and road activities. The Program Design also included a detailed protocol for field assessments, revised forms, and data collection templates.

The Board recommended that the department, under the supervision of the Adaptive Management Program Manager, conduct a Technical Review of the Program Design. Five reviewers were selected who had operational monitoring experience and the report results were presented to the Board in February of 2008. In response to the review, DNR has revisited the program design and hired a professional statistician to refine the statistics. Work began on the

program design revisions for 2009, and a draft was released in December 2008 for review; however due to staff changes, the revision process has not yet been completed. Initially, DNR provided appropriate training for the protocol to all field staff including DNR, Ecology, WDFW, and tribal participants. Training is ongoing as needed for new staff.

8.3 Highlights of the Compliance Monitoring Program

The 2007 field season was completed and a combined 2006-2007 report “Biennium 2006-2007 Compliance Monitoring Summary Report” has been published. A copy can be obtained at: www.dnr.wa.gov/BusinessPermits/News/Pages/nr09_060.aspx

The report summarizes two years of random assessments of compliance with state forest practices rules. The monitoring was conducted by more than 90 professional foresters, geologists and biologists from DNR, the Department of Ecology, Washington Department of Fish and Wildlife, several tribes and private natural resources consultants in survey teams of four or five members. Landowners were invited to attend the assessments.

The study sample represented 174 randomly selected approved forest practices applications. The results in the report pertain to riparian and road activities throughout the state. There were a total of 289 riparian activities and 234 road activities reviewed during the 2-year period. The conclusions of the report state “Statewide compliance during the study period was 87 percent for road activities and 75 percent for riparian activities. Average compliance for all activities was 80 percent with a lower confidence limit of 75 percent and an upper confidence limit of 86 percent.”

In seven cases, the monitoring teams found the noncompliance at a site was serious enough to refer it to a DNR region office for follow-up and possible enforcement consideration.

The study design for 2008-2009 continues to focus on RMZ rules for all typed waters (WAC 222-30) along with Road Construction and Maintenance rules (WAC 222-24). Additionally, an enhanced sample provides more detail for determining compliance with wetland rules.

A finer look at two smaller populations of forest practices applications took place in 2007-2008. The two populations involved forest practices applications with Alternate Plans and Small Forest Landowner 20-Acre exempt parcels. This concentrated effort was made because these two groups of forest practices applications utilize rules that are different than the “standard” rules and the population of each forest practices application type is so small that it would take years to develop any meaningful statistics about each group. These two rule groups occur in approximately 1.5 percent of submitted forest practices applications. The results from this study will be included in the 2008-2009 report to the Forest Practices Board and will be reported in the 2010 Forest Practices HCP Annual Report.

A new stakeholder committee has been meeting periodically since March 2009 has adopted a name and charter as of fall 2009. Per that charter: The purpose of the Compliance Monitoring Program Stakeholder Committee is to provide a forum for communication and information sharing among Forest Practices stakeholders and provide guidance and recommendations for the Forest Practices Board Compliance Monitoring Program. This forum is expected to result in:

- Clarification of rule elements when questions arise.
- Consistent implementation of program protocols.

- Consensus recommendations from the committee on steps for Compliance Monitoring Program improvement.

The committee composition includes representatives of the Department of Natural Resources, Department of Fish and Wildlife, Department of Ecology, Tribes, Washington Forest Protection Association, and the Conservation Caucus.

8.4 Future Plans for the Compliance Monitoring Program

The results of almost four years of field reviews have begun to provide a better picture statewide of the implementation of the 2001 forest practices rules on the ground. Regional and specific information on rule elements will be available as field data increases.

Another biennial report will be written following the end of the 2009 field season. The publication is expected to be released mid to late 2010. Currently the program is reviewing emphasis areas and protocol changes for the 2010-2011 field seasons.

As a result of findings in the 2006-2007 report, the compliance monitoring program will be considering a training effort directed at the Timber, Fish and Wildlife groups within the DNR regions. The training will cover specific key points to help improve rules compliance. In general, an emphasis will include outreach and training as a means to increase compliance of forest practices rules.

8.5 Funding

The Forest Practices program actively seeks state funding from the Legislature and support from the program's partners on an ongoing basis to effectively implement the compliance monitoring program. DNR has received funds from the Legislature since 2005 which allows Ecology and WDFW to assist DNR in the compliance monitoring efforts. The legislature fully funded the compliance monitoring program for the 2009-2011 biennium when many other programs were reduced. The DNR program manager and program field coordinator positions implement the compliance monitoring program.

9. Road Maintenance and Abandonment Planning for Large Forest Landowners

9.1 Introduction

Forest practices rules include a road maintenance and abandonment program to prevent sediment and hydrology-related impacts to public resources such as fish and fish habitat. The rules require large forest landowners (as defined in WAC 222-16-010 under “Forest Landowner” and in Section 3 of the Board Manual) to develop and implement a Road Maintenance and Abandonment Plan (RMAP) for roads within their ownership. In an effort to minimize the economic hardship on small forest landowners, the 2003 Washington Legislature passed a RMAP bill (HB1095) that modified the definition of “small forest landowner” and clarified how the RMAP requirements applied to small forest landowners. Small forest landowners have the option to submit a “checklist” RMAP with each forest practices application or notification, rather than to provide a plan for their entire ownership. DNR, in consultation with WDFW and Ecology submitted a report to the legislature and the Forest Practices Board in December 2008 on the effectiveness of the checklist RMAP. The report can be found electronically at: www.dnr.wa.gov/Publications/fp_sflo_rmap_legreport_2008.pdf.

Large forest landowners were required by July 1, 2006, to have all roads within their ownership covered under a DNR-approved RMAP (WAC 222-24-051) and to bring all roads into compliance with forest practices standards by July 1, 2016. This includes all roads that were constructed or used for forest practices after 1974. An inventory and assessment of orphaned roads (i.e., forest roads and railroad grades not used for forest practices since 1974) must also be included in the RMAP. In areas where watershed analysis has been conducted and approved, large forest landowners may elect to follow the watershed administrative unit-road maintenance plan rather than developing an RMAP under WAC 222-24-051.

9.2 Approved Road Maintenance and Abandonment Plans

The following table, “2008-2009 Status of Large Landowner RMAPs” lists by DNR region the number of large landowners with RMAPs and the status of their RMAPs. Currently, there are a total of 107 large landowners statewide requiring RMAPs. In many cases, a single large landowner may have multiple RMAPs distributed over more than one DNR region.

2008-2009 Status of Large Landowner RMAPs

DNR Region	# of Large Landowners with RMAPs	RMAP Status
Northwest	20	All Plans Approved
Pacific Cascade	29	All Plans Approved
South Puget	15	All Plans Approved
Olympic	21	All Plans Approved
Northeast	8	All Plans Approved
Southeast	14	All Plans Approved, except as noted below*
Total	107	

*The 2007-2008 Forest Practices HCP Annual Report described four landowners working with DNR to achieve approval of their RMAPs. Since that time, one of the landowners has completed their road inventory and scheduling of work and has an approved RMAP.

Following is the status of the remaining three landowners:

1. Landowner has an incomplete RMAP (1500 acres out of 131,000 total acres are not completed). The landowner is currently working with DNR to complete and update the inventory of roads; and to identify fish passage barriers based on updated water type maps.
2. Landowner currently has one section of land (640 acres) under an approved RMAP and continues to acquire additional land needing approval.
3. Landowner has modified its harvest levels to exceed more than 2 million board feet of timber per year, and is continuing to work with DNR to complete their RMAP.

9.3 Road Maintenance and Abandonment Plan Implementation

The RMAP process is intended to bring all roads owned by large forest landowners into compliance with forest practices standards by July 1, 2016. The following tables, “RMAP Accomplishment Report From 2001-2008”, and “Yearly Cumulative Reports” details the progress that’s been made by both large and small landowners from July 2001 until December 2008.

RMAP Accomplishment Report From 2001-2008

DNR Region	Total # of Approved RMAPs by Large Landowners	Total # of Submitted Checklist By Small Landowners	Miles of Forest Road	Miles of Road Improvement	Miles of Road Abandoned	Miles of Orphaned Roads	Miles of Fish Passage Opened	# of Structures Fixed on Fish Habitat Streams
Northeast	8	2,319 / *290	7,625	4,268 / *344	295 / *22	96	258 / *27	515 / *52
Northwest	29	1,479 / *20	5,841	1,813 / *395	849 / *111	650	56 / *16	194 / *46
Olympic	22	677 / *60	7,648	997 / *328	101 / *11	353	226 / *37	354 / *84
Pacific Cascade	32	2,990 / *59	21,942	6,427 / *137	480 / *65	715	600 / *114	1,253 / *252
South Puget Sound	26	661 / *26	7,886	671 / *169	262 / *49	220	138 / *31	241 / *24
Southeast	13	502 / *52	6,500	843 / *507	444 / *20	271	170 / *7	314 / *165
Statewide Totals (as of 12/31/08)	119	8,628	57,442	15,019	2,431	2,305	1,448	2,871

*Note: * Number represents the increase over the previous year.*

State Wide Yearly Cumulative Reports

	Total # of Approved RMAP's & Submitted Checklists	Total # of Submitted Checklist by Small Landowners	Miles of Forest Road	Miles of Road Improvement	Miles of Road Abandoned	Miles of Orphaned Roads	Miles of Fish Passage Opened	# of Structures Fixed on Fish Habitat Streams
2001-2002	4,066	---	15,484		645	502	52	46
2001-2003	5,530	---	27,072		1,007 / *362	1,246	175 / *123	355 / *309
2001-2004	7,401	---	48,051		1,587 / *580	1,944	647 / *472	1,217 / *908
2001-2005	8,419	---	58,843		1,856 / *269	2,107	775 / *128	1,363 / *146
2001-2006	9,950	---	59,220		2,068 / *212	2,313	982 / *207	1,819 / *456
**2001-2007	107	8,121	56,936	13,140	2,153 / *85	2,293	1,221 / *239	2,248 / *429
2001- 2008	119	8,628 / *506	57,442	15,019 / *1879	2,431 / *278	2,305	1,448 / *227	2,871 / *623

*Note: * Number represents the increase over the previous year.*

****2001-2007 - first year the number of submitted large landowner RMAPs and submitted small landowner RMAP Checklist is separated.**

Commitments were made in the 2006-2007 annual report to provide additional information in subsequent reports relating to the numbers of fish passage barriers for large forest landowners and a summary of those repaired or replaced; miles of forest road improved as a result of industrial RMAPs; and an update on the achievability of the scheduled RMAPs work by 2016.

Fish Passage Barriers

The following table, "Fish Passage Barrier Information for Large Landowners" displays the total number of presumed fish passage barriers identified in RMAPs by DNR region. It also shows how many have been repaired cumulatively since 2001; the total repaired in calendar year 2008, and the percent of total repaired as of December 31, 2008.

Fish Passage Barrier Information for Large Landowners

DNR Region	Total # of presumed fish passage barriers in RMAPs*	Cumulative repairs from 2001-2008	Total repaired in calendar year 2008	% of total repaired as of Dec. 31, 2008
Northeast	861	515	52	60%
Northwest	610	194	46	32%
Olympic Region	1,194	354	84	30%
Pacific Cascade	2,591	1,253	252	48%
South Puget Sound	676	241	24	36%
Southeast	573	314	165	55%
Totals	6,505	2,871	623	44%

*This number may fluctuate slightly when water types are confirmed and/or modified.

Road Improvements

In an effort to compile the number of forest road miles improved since the RMAP forest practices rule was effective, DNR sent a letter in March 2008 to all industrial forest landowners with Road Maintenance and Abandonment Plans, asking for the following information:

1. How many miles of forest road were originally identified for improvement to meet the requirements of Chapter 222-24 WAC, *Road Construction and Maintenance*?

2. Approximately how many of those forest road miles identified in question #1 have been improved to meet the requirement of Chapter 222-24 WAC, *Road Construction and Maintenance* as of December 31, 2007?

The letter also explained that beginning with the 2008 RMAP annual reporting cycle, industrial landowners will be asked to include the total number of miles of forest roads improved during the past calendar year (See “RMAP Accomplishment Report From 2001-2008” above). This is an addition to the usual annual RMAP reporting requirements.

Ninety-nine letters were sent and 77 responses were received; a 77 percent response rate. The responses represented 219 individual RMAPs. The majority of the 22 landowners who did not respond are mid-sized forest landowners with fewer miles of forest road overall on the landscape. Statewide, landowners responding reported approximately 22,900 miles of forest road identified as needing improvement—out of 57,442 total miles of forest road. As of December 2008, approximately 15,019 miles have been improved—a 66 percent accomplishment rate.

There was some initial confusion about what constituted road improvement as landowners responded to the March 2008 letter. As a result, DNR established a consistent working definition for road improvement in guidance to forest practices staff crafted in October 2008. Improvements are defined as “only those road related improvement structures which require fixes to bring the existing road built prior to 2000 up to the current (2001) forest practices rule standards.” (Guidance from Gary Graves, Assistant Division Manager, Forest Practices Division – October 13, 2008). As per the guidance, examples of road improvements include removing fish passage barriers, pulling back sidecast, adding cross drains, abandoning forest roads, etc. Improvements do not include normal maintenance activities such as routine road grading, adding surfacing, pulling ditches, etc.

Achievability by 2016

The following tools are used to ensure that landowners meet the obligations of their approved RMAPs in an even-flow manner by July 1, 2016:

- **Annual Report**
Landowners are required (WAC 222-24-051 (8)) to annually report on work accomplished for the previous year and to submit a detailed description of the upcoming year’s work. Any modifications to the upcoming work schedule are included in the annual report and reviewed in consultation with Ecology, WDFW, affected tribes and other interested parties.
- **Annual meetings**
Annual meetings are held between DNR RMAPs staff, industrial forest landowners, and others to discuss accomplishments; upcoming plans; project priorities; and landowner’s ability to meet the scheduled work required by 2016. Further meetings may be necessary to refine the current work schedule or to request a new work schedule for evaluation and acceptance by DNR in order to meet the target deadline.

The same October 13, 2008 guidance referred to above outlined the forest practices program’s expectations regarding the term “even-flow” when evaluating RMAPs. The guidance states the following:

Even flow: First, review the list of identified work that each landowner submitted during the planning phase including stream crossing cmp removal, stream crossing culvert replacement, ditching, grading, side cast pullback, adding cross drain cmps and road abandonment. Next, compare the original list of work to the list of accomplishments submitted with the annual reports. Evaluate the progress that has been made against what originally needed to be done and determine – based on your best professional judgment and knowledge of the situation - whether or not it is likely the remaining work can be completed in the next 7 or 8 operating seasons. If the RMAP Specialist in consultation with the FP District Manager and RP&S Assistant concludes that the individual landowner is making sufficient annual progress that it is likely all the necessary work will be finished by July 1, 2016 then the landowner is achieving even flow.

However, if you conclude that the landowner is only doing the minimal work necessary and will not likely accomplish all of the identified and necessary work by July 1, 2016 then they are not meeting the even flow concept. Should you determine that a landowner is not meeting the even flow concept then you need to meet with the landowner and discuss your concerns and expectations for future accomplishments. One of the enforcement documents would be used to set dates for future checks. At the end of the meeting the landowner needs to know what action(s) DNR will take if they do not comply. Documentation of the discussion is recommended either by letter or ICN.

(Guidance from Gary Graves, Assistant Division Manager, Forest Practices Division – October 13, 2008).

9.4 Washington Department of Fish and Wildlife Efforts

RMAPs are one of the major activities for WDFW's Forests and Fish biologists who provide an essential role in the review and implementation of RMAPs. The following is a description summary of the RMAPs duties performed by the WDFW staff.

- Review of new and ongoing RMAP proposals.
- Issue Hydraulic Project Approvals for RMAP work. Approximately 526 RMAP related Hydraulic Project Approvals were reviewed in Fiscal Year 2009.

The 2016 deadline for completing RMAP work will continue to create a large demand for Hydraulic Project Approvals. The number of applications associated with large landowners RMAPs has grown significantly over the past few years, from 230 in 2002, to 2963 in 2006. In FY 2009 approximately 2,600 forest practice applications were reviewed for Hydraulic Project Approval requirements. The complexity of technical assistance and Hydraulic Project Approvals needed from WDFW biologists has increased as work is shifting from the easier fixes to the more challenging crossing structures as well as structures located higher in the watershed.

- Review forest practices applications for Hydraulic Project Approval requirements, provide site reviews, issue Hydraulic Project Approval permits, and provide other technical assistance as needed.
- Develop, review, and consult with small forest landowners addressing stream typing, aquatic resource protection and road issues. Provide technical assistance, pre-site

reviews, review of completed long-term plans, and issue Hydraulic Project Approvals for small forested landowners.

- Review revised RMAPs as landowners make annual changes pertaining to fish passage structures, fish habitat, stream typing, and sediment delivery.
- Review revised RMAPs as land ownership changes. Ownership changes have been occurring at a relatively high rate.
- Provide technical assistance and review for alternate plans for both small and large industrial landowners.
- Validate stream typing, including identifying the breaks between fish and non-fish streams, as part of the RMAPs process, as well as implementation of the forest practices rules for riparian zones.

With the development of the new DNR hydro-layer, state and private landowners have increased their efforts in identifying breaks between fish and non-fish streams. Additionally, as a result of the stream type surveys, landowners are submitting hundreds of water type change forms to DNR requesting changes to water type maps. Many of these water type modifications require more than one site review and have substantially increased Forest and Fish biologist's workload.

- Participate in the review and development of Forests and Fish Report-related research through CMER committee participation.
- Provide technical assistance as needed to forest landowners for aquatic related mitigation and restoration and to identify specific habitat needs for species of concern.

10. Tribal Relations

10.1 Introduction

Under the authority of the Forest Practices Act, the Board's rules, in part, promote cooperative relationships and agreements with the tribes and direct DNR Forest Practices staff to consult and cooperate with affected tribes when developing and implementing many parts of the Forest Practices program (WAC 222-12-010). The rules define "affected Indian tribe" as "any federally recognized tribe that requests in writing information from DNR on forest practices applications and notifications filed on specific areas" (WAC 222-16-010).

Washington's 29 federally recognized Indian tribes are key cooperators in the Forest Practices program. Because of the sovereign status of these tribal governments, the relationship between DNR forest practices and the tribes is government-to-government.

These tribes in Washington, as well as some tribes in Oregon and Idaho, participate in the forest practices program to varying degrees. Tribes are members of the Adaptive Management Program's Forests and Fish Policy committee and Cooperative Monitoring and Research (CMER) committees, the Board's Timber-Fish-Wildlife Cultural Resources Committee (Committee), and the Small Forest Landowner Advisory Committee. Additionally, tribal representatives work with staff from DNR's forest practices program and other agencies and organizations to draft forest practices rules and Board Manual guidelines, review forest practices applications and notifications and alternate plans, provide technical onsite expertise in DNR's interdisciplinary team reviews, and complete water and wetland typing.

This chapter provides information on two areas related to tribal relations. The first is an update on the required forest landowner/tribal meetings reporting process. The second is an update on the Timber, Fish and Wildlife Cultural Resources Committee.

10.2 Landowner/Tribal Meetings and WAC 222-20-120 Update

One of the reporting elements in the Forest Practices HCP is the landowner-tribe meetings required by WAC 222-20-120 (2) and the process improvements being made by the forest practices program to more consistently implement this rule.

The rule requires the forest practices program to notify an "affected Indian tribe" of all applications on the specific areas that have been identified by the tribe. Additionally, when an application involves a cultural resource, subsection (2) of the rule requires the forest landowner to "meet with the affected tribe(s) with the objective of agreeing on a plan for protecting the archaeological or cultural value."

The forest practices program notifies a tribe of the applications the tribe is interested in via the Forest Practices Application Review System (FPARS). FPARS is an internet-based review and permitting system for Washington's forest practices permits. The tribe simply signs up for FPARS, and then automatically receives all applications and notifications that meet the parameters of the tribe's FPARS reviewer profiles. Currently, all but one of the federally recognized tribes in Washington have chosen to review forest practices applications and notifications.

DNR completed the following steps to initiate data collection on landowner/tribe meetings for the Forest Practices HCP annual report. These steps also help address DNR region audit findings regarding tracking of landowner/tribe meetings.

- Guidance on tracking landowner/tribal meetings was updated (Appendix J).
- DNR implemented a new tracking method in September 2008 that uses the region master log to record:
 - Which applications require a landowner/tribal meeting, and
 - Which required landowner/tribe meetings took place.

Additionally, following the Board's adoption of the new historic sites rules in August 2008 (see "Ongoing and Current Work" below), the program conducted training and provided guidance to the regions on implementing these new rules and WAC 222-20-120. The training included:

- An explanation of the board's new classification criteria for applications involving cultural resources,
- An emphasis that a meeting between the landowner and the interested tribe(s) is required for all Class IV-special applications involving a cultural resource,
- Discussion on using the Forest Practices Application/Notification Office Checklist for tracking forest practices applications that have a cultural issue,
- Discussion on using the region master log to track the required meeting data listed above.

Beginning on September 17, 2008 to June 30, 2009, the regions have recorded that five forest practices applications triggered the landowner-tribe meeting requirement. Landowners were required to meet with all the tribes that had expressed interest in the geographic area of the forest practices application, which in some instances included up to six different tribes. Two forest practices applications with the same landowner did not meet the landowner-tribe meeting requirement. In both cases, the landowner requested a meeting but was unsuccessful in soliciting a response from one of the tribes involved. The program will follow up with each region to insure that the guidance is being correctly interpreted.

10.3 Update on Timber, Fish and Wildlife Cultural Resources Committee Background

Originating as part of the 1987 Timber, Fish and Wildlife organization, today's Committee includes tribal representatives (especially Puyallup, Yakama, Suquamish, Lummi, and Quinalt), forest landowners representing Washington Forest Protection Association (WFPA) members and Washington Farm Forestry Association (WFFA) members, and state agency representatives from DNR-Forest Practices, DNR-State Lands, and the Department of Archaeology and Historic Preservation (DAHP). In 2001, the Forest Practices Board asked the Committee to do the staff work and the negotiations on cultural resources issues for the Board. This work included a multi-caucus proposal to address the cultural resources commitments in Appendices G and O of the Forests and Fish Report, specifically a watershed analysis cultural resources module and a cultural resources plan.

In May 2005, the Board approved and adopted the Committee's proposed cultural resources watershed analysis module and rules that implement the module. The module and the rules are appendices of the Committee's collaboratively developed Cultural Resources Protection and Management Plan (Plan). The Plan is incorporated into the Forest Practices HCP as Appendix I. Since then, the forest practices program and the Committee have continued to implement

additional commitments of the Plan, as well as resolve issues by collaboratively clarifying rule language regarding cultural resources.

Ongoing and Current Work

Three commitments in the Plan specific to the forest practices program relate to notice to tribes, landowner-tribe meetings, and classification of applications and notifications involving cultural resources. As discussed in section 10.2, the program provides automatic and ongoing notice to tribes of applications and notifications via FPARS based on the tribe's identified areas of interest, and DNR has provided updated program guidance on WAC 222-20-120.

The program continues to assist DAHP in updating their archaeological and historic sites database. This cultural resources data is used by DNR to appropriately classify forest practices applications and notifications involving cultural resources according to WAC 222-16-050. Specific funding is provided to DAHP through a DNR-DAHP Interagency Agreement. Funding for fiscal year 2008-09 was \$34,763.50, which provides a half time position. The Committee continues to advocate for a full time position at DAHP.

Additionally,

- As required by WAC 222-08-160 Continuing review of forest practices rules - the Committee provided their annual report to the Board at its August 2008 meeting. A second report was provided in May 2009 to assist the new chair and members in understanding the Committee's purpose, work, and challenges.
- The Committee's work on the Board's historic sites rulemaking effort to address inconsistencies in the current rules came to fruition when the Board adopted the Committee's consensus rule language at the Board's August 2008 meeting. See section 2.0.
- The Committee updated the Plan to formally recognize completed projects, and is considering further amendments such as broadening the scope of recommended agreement strategies beyond Memoranda of Understanding and higher level contacts.
- The Committee is supporting a west-side pilot project by the Puyallup Tribe and Hancock Forest Management as a first test of the Cultural Resources Module in a comprehensive assessment of cultural resources in a watershed. Funding for an eastside pilot is being researched.
- The Cultural Resources Education Subcommittee continues its cultural resources educational efforts for small forest landowners with the assistance of the Washington State University Extension Service.
- The Committee is drafting clarifying language for WAC 222-20-120, which requires landowner-tribe meetings on applications that involve cultural resources. See section 10.2.

11. Enforcement

11.1 Introduction

Forest landowners, timber owners, operators and forest practices staff are all responsible for ensuring that forest practice activities are conducted according to the Forest Practices Act, rules, and the conditions of the approved forest practices permit. Region forest practices staff prioritize compliance inspections largely on the potential risk to public resources posed by the forest practice activity. For example, forest practices that propose substantial road construction in steep terrain above a public resource are more likely to receive regular compliance inspections than those with limited road construction on gentle slopes without public resources nearby.

Prioritization of inspections coincides with the classification of forest practices. There are four classes of forest practices. Class I has the lowest possibility of impact on public resources and does not require a forest practices application. Class II, III, and IV have progressively greater potential to impact public resources. Class III and Class IV forest practices typically receive more frequent compliance inspections than Class II forest practices. Other factors that influence the number of compliance inspections include operator experience and proficiency, and the time of year the operation is conducted. This targeted approach helps DNR ensure the effective and efficient use of field staff.

Compliance visits are used to identify the level of forest practices operations in compliance with the rules. The information gathered during compliance visits and compliance monitoring is used for program improvement. Improvement may include clarifying rule language, modifying rules, improving the administration of the rules, and additional education and training.

The Forest Practices Act and the Forest Practices Board encourage informal, practical, result-oriented resolution of alleged violations and actions needed to prevent damage to public resources. It is also the board's policy to use a progressive approach to enforcement that begins with consultation and voluntary efforts to achieve compliance while reserving civil penalties (monetary fines) for more serious infractions. When rule violations are found, DNR has several education and enforcement options available. The options that are currently used include informal conferences, notices to comply, stop work orders, civil penalties, notice of intent to disapprove, and criminal charges.

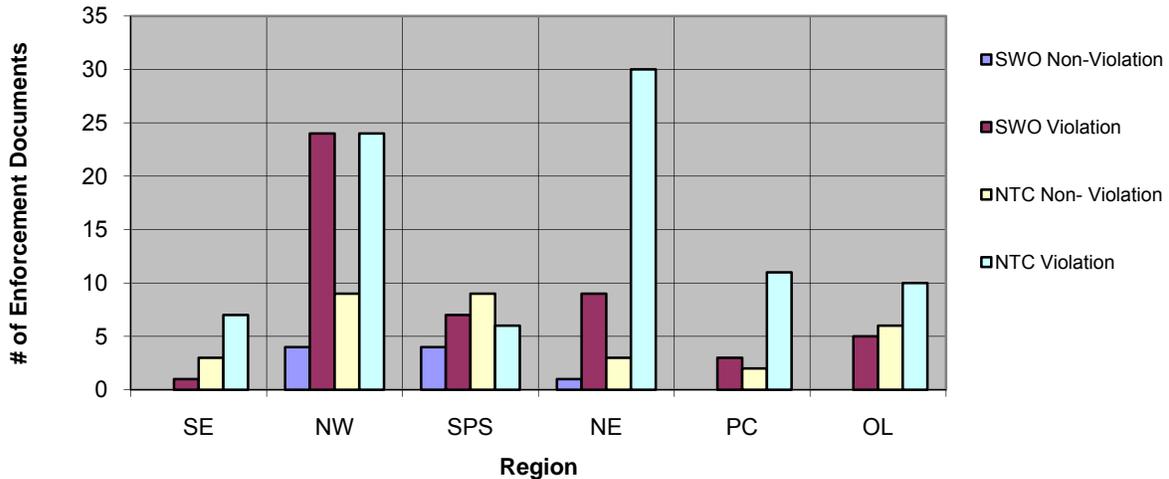
11.2 Enforcement Activity (July 1, 2008 - June 30, 2009)

Enforcement documents can be used for either violations or nonviolations. Violations are activities that are presently damaging a public resource or violating a law or rule. Non-violations are situations where damage to a public resource is imminent if the activity is not altered. An example would be: an operator does not have adequate drainage on a haul road for use in the rainy season. The operator could be given a non-violation notice to comply to upgrade the road so that it does not pose a threat to public resources during heavy rains. Notices to comply and stop work orders are the most common enforcement documents issued. The following tables and graphs show DNR's enforcement activity between July 1, 2008, and June 30, 2009. In the tables and charts, the following are the region designations: SE – Southeast; NW – Northwest; SPS – South Puget Sound; NE – Northeast; PC – Pacific Cascade; OL – Olympic.

Fiscal Year 2009 Stop Work Orders and Notices to Comply

Region	Stop Work Orders (SWOs)		Notices to Comply (NTCs)		Total
	Non-Violation	Violation	Non-Violation	Violation	
SE	0	1	3	7	11
NW	4	24	9	24	61
SPS	4	7	9	6	26
NE	1	9	3	30	43
PC	0	3	2	11	16
OL	0	5	6	10	21
Total	9	49	32	88	178

NTCs and SWOs Issued 7/1/08-6/30/09



The following table compares the number of enforcement documents issued in a fiscal year to the number of valid forest practices applications of all types as of June 30, 2009. The total number of valid forest practices applications is used as a surrogate for estimating the potential for violations. A valid forest practices application is an application that was approved and has not expired or been withdrawn. Applications may be valid for two to 15 years.

This method of calculating a comparison ratio is different from the method used in previous Forest Practices HCP annual reports. Previous Forest Practices HCP annual reports compared the number of enforcement documents issued in a fiscal year to the total number of forest practices applications approved during that fiscal year. It is felt that a comparison of the number of enforcement documents to number of valid forest practices applications provides more meaningful information than a comparison to the number of forest practices applications submitted during the year. Due to the change in comparison methodology, the numbers reported below cannot be directly compared to ratios from previous reports. The intent, however, is to continue to use the enforcement documents to valid forest practices application comparison

methodology in all future Forest Practices HCP annual reports so that trends, if any, through time, can be observed.

Fiscal Year 2009 Enforcement Data

Number of valid FPAs as of June 30, 2009	15827
Total number of violation documents issued in FY 2009	137
Ratio of violation documents to total number of valid FPAs (137/15827)	.86%
Total non-violation documents issued in FY 2009	41
Ratio of non-violation documents to total number of valid FPAs (41/15827)	.26%
Total number of enforcement documents issued (violation & non-violation) in FY2009	178
Ratio of enforcement documents issued in FY 2009 to total valid FPAs (178/15827)	1.12%

There was approximately 66 DNR staff participating in enforcement activities during fiscal year 2009.

Very few violations require more severe enforcement actions such as a civil penalty or notice of intent to disapprove. Each region determines the need for additional enforcement action based on a number of factors including:

- The applicant’s failure to comply with the terms or conditions of a forest practices application or notification or stop work order
- The probability of damage to public resources
- The extent of damage
- Whether there have been multiple violations of the same rule or law

The number of civil penalties and notices of intent to disapprove that became a final order during fiscal year 2009 is shown below:

Fiscal Year 2009 Civil Penalties and Notices of Intent to Disapprove

Region	# of Civil Penalties	# of Notice of Intent to Disapprove
SE	0	0
NW	1	2
SPS	0	0
NE	2	1
PC	0	0
OL	0	0
Total	3	3

Note: Civil penalties are counted when final order is reached

12. Washington State Legislature

12.1 Introduction

In 1974, the Washington State Legislature passed the Forest Practices Act declaring that:

“forest land resources are among the most valuable of all resources in the state; that a viable forest products industry is of prime importance to the state's economy; that it is in the public interest for public and private commercial forestlands to be managed consistent with sound policies of natural resource protection; that coincident with maintenance of a viable forest products industry, it is important to afford protection to forest soils, fisheries, wildlife, water quantity and quality, air quality, recreation, and scenic beauty” (RCW 76.09.010).

The Act was the state's first comprehensive law addressing the impact of forest practices on the environment. The Act also created the Forest Practices Board which sets the specific standards that are the basis for the forest practices program.

Each year, DNR monitors laws being passed by the Washington State Legislature for those that could impact the forest practices program. The table in Section 12.2 describes the laws passed in the 2009 Washington State legislative session that could impact the forest practices program. There were no new laws that would result in a change in protection of habitat for the species covered in the Forest Practices HCP.

Periodically, the Legislature requires DNR to submit reports to the legislative body describing the impacts or implementation of certain laws the Legislature passed. There were two reports required in December of 2008 regarding small forest landowners. One was a demographic report required every four years and the other was a report concerning the extent of the small forest landowner RMAPs checklist.

The small forest landowner office and related demographic report was established as a requirement by the Washington State Legislature in 1999 to serve as a resource for small forest landowners. This report answers questions asked by the state Legislature regarding demographics on non-industrial private forests and woodlands and makes recommendations for incentives-based forest management policies that protect public resources on small forestlands. The report is submitted every four years. The 2008 demographic report was submitted to the Legislature in April 2009. The report showed that there are approximately 215,000 small forestland owners statewide with approximately 5.7 million acres of which approximately 3.2 million are forested. The report can be found at:

www.dnr.wa.gov/Publications/fp_sflo_demo_legreport_2008.pdf

A report regarding small forest landowner RMAP checklists was due in 2008 and will be updated in 2013. In 2003, the Legislature determined that small forest landowners no longer had to write and submit RMAPs for their entire lands to DNR by June 2006. The small forest landowner would instead only be required to fill out a RMAP “checklist” regarding any forest roads that were being used as haul roads during a forest practices operation. The two reports due in 2008 and 2013 are to show the “extent” of the checklists. The 2008 report was submitted to the Legislature in January 2009. The report informed the Legislature that data to determine the extent of the RMAP checklist was unavailable and that funding would be required to acquire the

data. Suggestions were provided on how information could be gathered that would provide a picture of how small forest landowner roads were being brought up to standard. Each of the suggested data collection methods would require funding not currently available. The report can be found at: www.dnr.wa.gov/Publications/fp_sflo_rmap_legreport_2008.pdf

12.2 Provisions of Selected 2009 Washington State Laws

Selected 2009 Washington State Laws Affecting the Forest Practices Program				
Bill #	Title ("AN ACT relating to ...")	Provisions	Status	Effect*
1038	... specialized forest products	- clarifies definitions of "specialized forest products" and related terms, permit requirements, and enforcement procedures all are revised.	passed House 97-0; passed Senate 44-0; Governor signed April 28	Indirect
5042	... providing a waiver of penalties for first-time paperwork violations by small businesses.	- requires the Forest Practices Program to waive civil penalties for first-time "paperwork violations" of the Forest Practices Act or Rules by a small business, but provides exceptions to this requirement. The circumstances under which the Forest Practices Program would issue a civil penalty for a "paperwork violation" of the Act or Rules match two of these exceptions.	passed Senate 43-0, passed House 97-0; Governor signed May 6	Indirect
1172	... transfer of development rights	- amends current law by adding specificity to the procedures concerning the transfer of development rights.	passed House 66-30; passed Senate 25-19; Governor signed May 14	Indirect
1484	... habitat open space	- expands the Riparian Open Space Program (ROSP) to include private forest lands containing habitat of federally listed threatened or endangered species. Would require Forest Practices rules chapter 222-23 WAC and other WACs that reference ROSP to be updated to reflect the new "habitat open space" portion of the ROSP.	passed Senate 46-0; passed House 98-0; Governor signed May 6	Direct
1552	... relating to public access at open public meetings	- adds a definition of "formal public testimony". To be valid all persons attending a public meeting must be able to hear the testimony. Requires that a public meeting be recorded or documented and that the recording or documentation is a public record. Requires	passed House 97-0, passed Senate 45-0; Governor signed May 5	Indirect

Selected 2009 Washington State Laws Affecting the Forest Practices Program

Bill #	Title ("AN ACT relating to ...")	Provisions	Status	Effect*
		a formal public testimony period before an ordinance, resolution, rule, regulation order, or directive is adopted.		
1730	...regulatory assistance office.	- clarifies the role of the office of regulatory assistance. This agency helps facilitate permit processing by being a central point of contact for citizens, businesses, and any other entities needing any kind of state permit. Forest practices has had little interaction with ORA and the fully coordinated permit process.	passed House 94-0, passed Senate 43-2; Governor signed April 15	Indirect
2165	...authorizing the department of natural resources to conduct a forest biomass energy demonstration project	- would authorize the DNR to develop and implement forest biomass partnerships in two biomass demonstration areas to reveal the utility of Washington's forest biomass feedstocks.	passed House 96-0, passed Senate 44-0; Governor signed April 22	Indirect
5562	...active forestry operations	- clarifies what is considered to be a forest practice occurring on forest land in order to limit a civil suit between landowners when a forest practice activity is involved.	passed House 98-0, passed Senate 47-0; Governor signed April 24	Direct
5401	...habitat open space	- expands the Riparian Open Space Program (ROSP) to include private forest lands containing habitat of federally listed threatened or endangered species. Would require Forest Practices rules chapter 222-23 WAC and other WACs that reference ROSP to be updated to reflect the new "habitat open space" portion of the ROSP.	passed House 97-0, passed Senate 45-0; Governor signed April 28	Direct

*direct = changes Chapter 76.09 RCW (Forest Practices Act) or Chapter 43.21C RCW (State Environmental Policy Act); indirect = changes another law that intersects the Forest Practices program

13. Information Technology

13.1 Information Technology-Based Tools

Administration of the forest practices program is heavily dependent on information technology-based tools. Tools include information systems, such as the Forest Practices Application Review System (FPARS) and the Forest Practices Risk Assessment Mapping Tool, as well as discrete data sets, such as the hydrography layer that forms the basis of the water typing system. Within DNR, the Forest Practices Division works closely with the Information Technology Division to develop and maintain information technology tools to support the forest practices program. Of note in the past year are activities in the areas of FPARS upgrade, water typing, landslide hazard zonation, and northern spotted owl habitat data.

A total of 4,849 forest practices applications (4,041 excluding renewals) were entered into FPARS between July 1, 2008, and June 30, 2009. The FPARS data allows for both tabular and spatial data query. Currently, over 1,500 reviewers receive notification of new applications in their area of interest.

The Forest Practices Geographic Information Systems (GIS) section updates the DNR Hydrography data layer with water typing information received on Water Type Modification Forms. These updates are based on direct observation in the field by DNR personnel, forest landowners, fish survey contractors, and others. Between July 1, 2008, and June 30, 2009, we entered over 8,300 updates into the hydrography data set based on 1,372 Water Type Modification Forms. The Forest Practices GIS section also worked closely with Clallam County and Olympic Region Timber, Fish and Wildlife stakeholders to incorporate LiDAR-derived stream locations for a small watershed in the Clallam River basin.

In the past year, the Landslide Hazard Zonation (LHZ) Project has continued to add data and make improvements to the inventory of potentially unstable slopes and the delineation of landslide hazard areas in priority watersheds. During the 2009 fiscal year, four watershed analysis units were completed by the LHZ mapping team. In addition, there are four watershed analysis units that are in various stages of completion. The LHZ project was suspended at the end of June 2009 due to budget cuts. All data compiled to date for the statewide Landslide Inventory and the Landslide Hazard Zonation datasets are available for use in reviewing forest practice applications through the Forest Practices Risk Assessment Tool (FPRAT).

The Forest Practices GIS section recently completed a compilation of updated maps of northern spotted owl habitat conditions. Forest Practices staff in each region office examined orthophotos from 2006, and, combined with knowledge of on-the-ground conditions, submitted maps delineating northern spotted owl habitat. The habitat was classified following habitat definitions in Chapter 222-16-085 WAC. These maps have been captured in a statewide GIS data layer. The layer is now available to forest practices program staff for review, analysis, and update as needed.

FPARSv3

FPARS is the web-based system that notifies interested parties of forest practices application filings. Interested parties can access DNR's website to review forest practices applications. FPARS was implemented in phases of increasing functionality. FPARSv3 is the final FPARS

effort currently planned. In addition to forest practices applicants, FPARSv3 affects all Timber, Fish and Wildlife caucuses.

DNR completed the foundational technology work needed to implement FPARSv3 during this reporting period. FPARSv3 will be implemented in the fall of 2009. Currently and prior to implementation of FPARSv3, landowners submitted paper copy forest practices applications to DNR region offices for processing and approval/disapproval. The FPARSv3 project provides Forest Practices applicants the ability to complete a forest practices application and activity maps on-line and submit them via the internet to DNR. This information automatically creates the PDF documents that stakeholders review. For approved forest practices applications, the electronic landowner-generated maps automatically store the harvest unit boundaries and long term commitments into the forest practices GIS layer. Previous to these changes, DNR cartographers input the harvest unit boundaries from the hard copy map into GIS. The vision statement for the project follows:

Vision Statement

- Forest practices applicants are able to complete and submit forest practices applications online. Using a suite of web-based tools that enable them to fill in forms and create maps and using heads-up, on-screen digitizing, applicants submit completed forest practices applications and activity maps via the internet, directly to DNR.
- Forest practices supervisors review forest practices application data submitted via the Internet from a dashboard on their local computer. DNR regional support staff and cartographers only enter tabular and spatial data from forest practices applications that arrive by mail or are personally delivered to the DNR region office.
- DNR has a single source of complete historical and current tabular and spatial data on forest practices activities. The data are maintained in a standard format and accessible via the internet from any location.
- Forest practices staff distributes data, performs data analysis, risk assessments and program evaluations based on complete information about forest practices activities.

In sum, all tasks were accomplished leading to on-line submission of forest practices applications, other than those tasks related to electronic signature and electronic payment or reimbursement of application fees. The Governor's office is considering the possibility of using electronic signatures for State processes and methods that could be successfully implemented. Landowners will continue to submit signature pages and payment either by mail or in person until such time as the State of Washington offers electronic signatures.

14. Forest Practices Program Budget

14.1 Introduction

Effective on July 1, 2006, a new law was passed that reduces certain business and occupation (B&O) taxes for harvesting timber or manufacturing or processing wood products. Starting on July 1, 2007, taxpayers taking advantage of the reduced tax rate began paying a surcharge. The proceeds from the surcharge (approximately \$3,457,428 for FY 2009) were put into the Forests and Fish Support Account (FFSA), an account dedicated to the implementation of the state's forests and fish report, including adaptive management, monitoring, and participation grants to tribal, local and state agencies as well as non-profit public interest organizations. A reserve of \$1 million from this account for the state's budget stabilization account as mandated by the Office of Finance Management was attained last year. The surcharge is suspended when the account reaches \$8 million in a biennium or if the federal budget contains at least \$2 million in appropriations to support tribal participation in Forests and Fish-related activities. The fiscal year 2009 reflects expenditures supporting the above activities and participation grants.

14.2 Full Time Employees and Funding

The figures below reflect the State Base Program. This does not include the full-time equivalent employee (FTEs) and budget for the federally funded portion of the Adaptive Management Program. This program is tracked separately and information can be forwarded as requested. This also does not reflect staff funded under the State Capitol or Stewardship programs.

Previous and Current Biennium – Based on Allotments

Biennium	FTEs	Total State Funds
2005-2007 Allotment Level	142.0	\$20,596,000
2007-2009 Allotment Level	143.5	\$24,290,000
2009-2011 Allotment Level	115.09	\$26,970,500

2007-2009 Biennium Allotment

2007-2009 Base Expenditures by Activity	FTE's	Total State Funds
Forest Practices Act & Rules	124.5	\$20,741,000
Forest Practices Manage Adaptively	2.0	\$1,842,000
Small Forest Landowner/Stewardship Office	17.0	\$2,350,000
TOTALS	143.50	\$24,290,000

FY 08 Expenditures by Activity (July 1, 2007 – June 30, 2008) as previously reported

FY 2008 Expenditures by Activity	FTE's	Total State Funds
Forest Practices Act & Rules	121.21	\$10,997,200
Forest Practices Manage Adaptively	2.4	\$650,326
Small Forest Landowner/Stewardship Office	10.5	\$965,684
TOTALS	134.11	\$12,613,210

Compliance monitoring FY 2008 expenditures
2.6 FTEs and approximately \$469,295 were spent

FY 09 Expenditures by Activity (July 1, 2008 – June 30, 2009)

FY 2009 Expenditures by Activity	FTE's	Total State Funds
Forest Practices Act & Rules	115.97	\$11,755,567
Forest Practices Manage Adaptively	2.82	\$1,496,500
Small Forest Landowner/Stewardship Office	14.41	\$1,204,178
Forests and Fish Support Account (FFSA)		\$2,795,153
TOTALS	133.20	\$17,251,398

Compliance Monitoring FY 2009 expenditures 2.75 FTEs and \$489,467 were spent.

An enhancement of \$570,706 in FY 2009 reflects developing a program for long-term forest/stewardship management plans, in which small forest landowner's gain 15-year approved Forest Practices Application/Notifications (as opposed to the current 2-year Forest Practices Application/Notification). This enhancement accounts for the difference in the FTEs and funding from FY 2008 to FY 2009 for the Small Forest Landowner/Stewardship Office.

The reduction in the number of FTE's expended in FY 2008 for the Forest Practices Act and Rules (121.21) and for the same expenditure in FY 2009 (115.97) is due to the number of forest practices staff that participated in wildfire prevention and control efforts during the FY 2009 fire season.

As stated above in the introduction, FY 2009 reflects expenditures from the Forest and Fish Support Account supporting the implementation of the state's forests and fish report, including adaptive management, monitoring, and participation grants to tribal, local and state agencies as well as non-profit public interest organizations. This contributed to the difference in overall funding for the 2007-2009 biennium.

The following lists what is funded under the above functional activities:

Forest Practices Act & Rules

Application Processing
Compliance Monitoring
Enforcement

RMAPS

IT/GIS Development & Support

Water Typing

Stakeholder Assistance

Manage Adaptively

CMER Staff

State Adaptive Management Projects

Forests & Fish Account

Participation grants to tribes

Participation grants for non-profits

Participation grants to state agencies

Small Forest Landowner Office/Stewardship

Small Forest Landowner Office Program/Operations

Forest Stewardship/Landowner Assistance

14.3 2009-2011 Biennium Operating Budget by Activity

The overall base budget for DNR has been significantly reduced due to the state's economy. The forest practices program's overall operating base budget has been reduced by 18 percent, amounting to approximately 4 million dollars. Losses included all funding for the Landslide Hazard Zonation project (a project which created an improved screening tool that better described and mapped all potentially unstable slope areas in priority watersheds) and much of the funding for the Small Forest Landowner Office including all funding for the Forestry Riparian Easement Program. Four Small Forest Landowner Office funded positions were eliminated in the regions. The Division lost funding that supported a position to provide long-term application assistance, and the Division also eliminated positions that provided training coordination, operational and Board administrative support, small forest landowner outreach, and cartography. Funding for region forest practices positions that review forest practices applications and comply and enforce the forest practices rules remained stable. The following table reflects the base budget for the next two years.

2009-2011 Base Allotments by Activity	FTE's	Total State Funds
Forest Practices Act & Rules	106.75	\$19,918,900
Forest Practices Manage Adaptively	5	\$2,124,958
Small Forest Landowner/Stewardship Office	2	\$327,079
Forests & Fish Support Account	1.34	\$7,051,600
TOTALS	115.09	\$26,970,500

15. Training/Information/Education

15.1 Introduction

Forest practices rules require DNR to "...conduct a continuing program of orientation and training, relating to forest practices and rules thereof, pursuant to RCW 76.09.250" (WAC 222-08-140). DNR conducts ongoing training programs to educate internal agency staff, forest landowners and staff from cooperating agencies and organizations on forest practices rule implementation.

There are four major venues in which the Forest Practices program provides training:

1. Washington Contract Loggers Association (WCLA) training
2. Forest Practices program training
3. Subject-based training
4. Region training

In addition the Forest Practices HCP Administrators provide training to forest practices staff regarding implementation of the Forest Practices HCP as needed.

15.2 Status of Forest Practices Training Programs

WCLA Training

The forest practices Training Manager Position and some training efforts were eliminated during this reporting period due to budget constraints. Training continues, however, on a smaller scale.

The Washington Contract Logger Association training is ongoing. The Association offers a five-day training course to participants, which includes one day of forest practices rules training for operators seeking state certification. This course is generally offered twice a year. DNR covers water typing, riparian and wetland management zones, cultural resources, road maintenance, enforcement, and general information regarding the forest practices application/notification process.

Forest Practices Program Training

1. Following the Board's adoption of the new historic sites rules in August 2008 to address inconsistencies in current rules, the program provided guidance and conducted training for the regions. The training included:
 - An explanation of the board's new classification criteria for applications involving cultural resources,
 - Discussion on landowner/tribe meeting requirements,
 - Discussion on the method to document the occurrence of landowner/tribal meetings.
2. FPARS training took place for FPARS, version 3 (FPARSv3). FPARS is the web-based system that notifies interested parties of forest practices application filings. Interested parties can access DNR's website to review forest practices applications. The FPARSv3 project provides forest practices applicants the ability to complete a forest practices application and activity maps on-line and submit them via the internet to DNR. There were 12 training presentations throughout the state during FY2009.
3. Forest Practices Risk Assessment Mapping training took place for six new staff. This tool is an interactive mapping site on the DNR intranet. It gives DNR Forest Practices staff, in both the division and the region offices, access to GIS data related to the implementation

of the Forest and Fish Rules. This interactive mapping and reporting tool allows forest practices staff to see the geographic relationships between environmental features, including streams with fish habitat, potential landslide areas, archaeological sites, and listed animal species habitats, and the locations of proposed forest practice applications.

Subject-Based Training

Currently Forest Practices scientists provide training for unstable slopes identification, Channel Migration Zone (CMZ) identification, and wetlands identification. These are two-day courses with one day in the classroom and the other in the field. During this reporting period, unstable slopes training was offered four times, channel migration zone training twice, and wetlands training on three occasions.

Unstable Slopes

Unstable slopes training included the following participants:

- DNR staff – new Forest Practices and State Lands foresters, Stewardship coordinators, Small Forest Landowner foresters, engineers, geologists, and research technicians
- Other public agency foresters, biologists, and engineers—Washington Department of Fish and Wildlife, Department of Revenue, City of Seattle, City of Tacoma, Mason County, US Army Corps of Engineers
- Industry and Tribal foresters, biologists, and engineers—Green Diamond, Weyerhaeuser, Hancock, Olympic Resource Management, SDS Lumber, Quinault Tribe, Nisqually Tribe

The objectives of unstable slopes training is to improve recognition of unstable slopes and landforms, improve consistency in recognition of these features and being able to identify when a specialist is needed for further consultation.

Channel Migration Zone

The target audience for channel migration zone training is DNR, industry, and other agency staff. The objectives of channel migration zone training include learning about channel anatomy, and identifying significant features such as bank full channel, and the channel migration zone as defined by the rules; understanding flood stage, and lateral channel movement; and properly applying the rules.

Wetlands

Basic wetland identification training was offered for the first time during the reporting period. Classes were successful and will continue to be offered.

Region Training

DNR region staff generally delivers both statewide and region specific training. In addition, each region office holds regular Timber, Fish and Wildlife “cooperator” meetings as a means of communicating changes in rules, rule implementation or application processing to Forest Practices program participants. Cooperator meetings are an important mechanism to assure fair, uniform application of forest practices requirements within and among DNR’s six regions. DNR region staff also organizes informal meetings where technical or scientific information is presented as a way of keeping field practitioners informed about recent research findings.

Regions completed over 100 training presentations/meetings during FY 2009. The topics varied widely. Among the many topics included were; water type modification forms and process; best

management practices-road sediment delivery; emergency forest practices applications; enforcement handbook; DNR Water Typing 101; Forest Riparian Easement Program training; watershed analysis procedures; and forest practices application processing.

Forest Practice HCP Implementation Training

The 2008 Forest Practices HCP Annual Report listed three items planned for future implementation regarding Forest Practices HCP implementation training. Following is an update:

- Developing fact sheet(s) – Forest Practices HCP fact sheet(s) were not developed during FY 2009. It is still the intent of the Forest Practices HCP Administrators to develop fact sheets as a resource for forest practices staff. The fact sheet(s) would summarize Incidental Take Permit conditions, explain related staff expectations and provide other clarification where needed.
- Develop a website – It was determined that a website is unnecessary. Forest Practices HCP information is already provided on the DNR Forest Practices Division’s web page.
- Attend region Timber, Fish and Wildlife meetings – Timber, Fish and Wildlife meeting attendance has not taken place because current budget realities have curtailed travel unless absolutely necessary. Forest Practices HCP Administrators communicate to region staff via quarterly operations coordination meetings. Administrators also respond to questions by phone or by teleconference.

16. Washington Timber Harvest Report

16.1 Introduction

The following Washington State timber harvest report, *Timber Harvest by Owner Class and Region*, provides a historical record of timber harvest activities by landowner class and region from 1990 to 2008. It includes harvest data for both eastern and western Washington.

Timber Harvest by Ownership and Region

Source: Department of Natural Resources Internet Homepage: http://www.dnr.wa.gov/							
<i>Million Board Feet¹</i>							
Calendar Year	State Total	Owner Class				State Region ²	
		Private ³	DNR ⁴	Other State ⁵	Federal	Western	Eastern
1990	5,849	4,330	657	30	832	4,674	1,175
1991	5,104	3,822	535	33	714	4,014	1,090
1992	5,018	4,030	476	43	469	3,955	1,063
1993	4,329	3,513	461	17	338	3,307	1,022
1994	4,086	3,552	323	7	204	3,178	908
1995	4,392	3,720	496	20	156	3,417	975
1996	4,249	3,529	600	33	87	3,273	976
1997	4,245	3,390	645	31	179	3,258	989
1998	4,022	3,319	546	36	121	3,129	892
1999	4,383	3,580	662	15	126	3,375	1,008
2000	4,177	3,507	559	17	94	3,224	953
2001	3,716	3,116	496	26	79	2,842	874
2002	3,582	3,000	457	40	85	2,704	878
2003	4,234	3,413	651	35	136	3,538	696
2004	3,946	3,212	588	51	96	3,175	770
2005	3,730	3,024	594	32	81	2,958	771
2006	3,483	2,946	404	59	75	2,720	763
2007	3,264	2,685	448	36	95	2,613	651
2008	2,758	2,067	515	71	104	2,328	430
¹ Scribner log scale.							
² Boundary between the two regions is the county lines along the crest of the Cascade Mountains.							
³ Private includes large forest landowners, small forest landowners, industrial timber owners, and Native American.							
⁴ Harvests from lands managed by the Washington State Department of Natural Resources (DNR).							
⁵ Includes public lands owned by cities, counties, public utilities, and state agencies other than Department of Natural Resources.							

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18. List of Acronyms

Agencies and Organizations

the Board	Washington Forest Practices Board
DAHP	Department of Archaeology and Historic Preservation
DNR	Department of Natural Resources
RCO	Recreation and Conservation Office
SFLO	Small Forest Landowner Office
SRFB	Salmon Recovery Funding Board
USFWS	United States Fish and Wildlife Service
WCLA	Washington Contract Loggers Association
WDFW	Washington Department of Fish and Wildlife
WDOT	Washington Department of Transportation
WFFA	Washington Farm Forestry Association
WFPA	Washington Forest Protection Association

Technical Terms

CMZ	Channel Migration Zone
DFC	Desired Future Condition
EBAI	Equivalent Area Buffer Index
GF-State	General Fund - State
GIS	Geographic Information System
FTE	Full Time Equivalent
FY	Fiscal Year
FPA/N	Forest Practices Application/Notification
FPRAT	Forest Practices Risk Assessment Tool
ICN	Informal Conference Note
LGE	Local Government Entity
LHZ	Landslide Hazard Zonation
LWD	Large Woody Debris
NTC	Notice to Comply
RMZ	Riparian Management Zone
SWO	Stop Work Order
Type F	Fish-bearing stream
Type Np	Non fish-bearing, perennial stream
Type Ns	Non fish-bearing, seasonal stream
WAU	Watershed Administrative Unit
WRIA	Water Resource Inventory Area

Personnel, Programs, Plans and Reports

AMP	Adaptive Management Program
AMPA	Adaptive Management Program Administrator
CMER	Cooperative Monitoring, Evaluation, and Research Committee
CMP	Compliance Monitoring Program
FFFPP	Family Forest Fish Passage Program
FFSA	Forests and Fish Support Account
FPARS	Forest Practices Application Review System
FPF	Forest Practices Forester
FPHCP	Forest Practices Habitat Conservation Plan
FREP	Forestry Riparian Easement Program
FFR	Forests and Fish Report
HCP	Habitat Conservation Plan
IDT	Interdisciplinary Team
RMAP	Road Maintenance and Abandonment Plan
ROSP	Riparian Open Space Program
RP&S	Resource Protection and Services
SRC	Scientific Review Committee
TFW	Timber/Fish /Wildlife

Regulations, Acts and Permits

CWA	Clean Water Act
EIS	Environmental Impact Statement
ESA	Endangered Species Act
ITP	Incidental Take Permit
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
WAC	Washington Administrative Code

19. APPENDIX

Appendix A

March 23, 2009

TO: RP&S Assistants & FP District Managers

FROM: Mary McDonald, FP Acting Assistant Division Manager - Operations

FPA Review and Documentation Procedures

Program documentation goals:

1. The region staff can locate all associated documents including field notes with individual FPAs.
2. The field staff should be moving toward electronic record keeping for all field notes to promote program efficiency.
3. The regions have created master FPA log sheet and it would be ideal if this could serve as a single data storage point for the collection of this information. (There can be regional differences in how the information is collected.)

Program documentation standards:

4. The office staff can identify information on the office checklist that may be a potential risk by using available information. *For example, use a forester in the office or use information from a field review.*
5. The FPF will validate information on all applications using available information.
6. All documents related to an FPA will go in a central file accessible to operational staff (region & div.). *This is what we suggest at the group work session using the FPA master log sheet as the storage space.*
7. The region management and immediate supervisor will monitor expectations of performance. *The region management - FP district mgr, RP&S Assistant & Region Mgr*

Office staff is expected to:

1. Review proposals using available tools when classing the FPA.
2. Confirm the resources reviewed by using the existing office check list.
3. Confirm the information provided on the watershed analysis worksheet by referring to resources map and prescription documents. Initial and date the form when review has been completed. *This intended to ensure the applicant has correctly*

identified the WAU and the associated prescriptions with areas of resources sensitivities.

4. Review the environmental checklist, alternate plans and or qualified expert reports for completeness and appropriate information to allow adequate evaluation of the proposal is included.
 - a. Engage individuals with the necessary experience and training in the subject area to properly evaluate the proposal for completeness. (For example; request specialists or PPFs to assists when necessary.)

Field foresters will:

1. Conduct a paper review on all FPA/N to confirm the assigned class.
 - a. Document this process
2. Conduct a pre-decision site review of the proposal when any of the following conditions exist within these proposal:
 - a. Class IV S with verified resource risk;
 - b. DNR required geo-tech report or other site specific specialist report;
 - c. Long term FPAs, Alternate Plans; FPA other than approved templates - other IDTs visits, Road Abandonment - (This will vary by region but generally any proposal that involves stream crossing removals should have a site review);
 - d. A Class IV G when DNR is lead and the FPA has identified resources issues,
 - e. An FPA within the bull trout overlay with a proposal to harvest in the RMZ of typed waters;
 - f. A water typing verification of the F/N and or Np/Ns breaks for protection strategies requirements. (This would not require all locations to be field verified but rather a sample for the FPA)
3. Evaluate the following resources* using the idea of "source + resource with delivery = high priority" to help set priorities for site visits**that include:
 - a. Watershed analysis mass wasting prescriptions used;
 - b. Archeological and/or cultural resources;
 - c. Landowner and/or operator history;
 - d. Unverified potentially unstable slopes;
 - e. T&E species and or
 - f. Landowner HCP.

* These resource issues when associated with proposed forest practice activity have the potential to be a Class IV Special on their own merits. The FPA requires a

pre-decision site visit by the forester along with any subject expert that may be required to evaluate the issues.

** When these issues do not require a site visit on their own merits, the forester should determine if the potential to impact public resources would elevate the need to conduct a site review. The more issues that are present the higher the priority for a site visit by the forester.

4. Document is a site visit needed or not on individual FPA's.

Forester, FP geologists, and RMAP Specialists are expected to:

1. Place all documentation in the region file within one week or as set by region if sooner. If you use the master FPA log sheet as the storage place it would be electronic and the information would be accessible to all levels of the program.
2. Document all interaction with FPAs as outlined below.
 - a. State what was done during the site visit (ex: looked at the marked RMZ on stream "a" from the 1010 road to 1050 road. Look at potentially unstable feature in NE corner of the proposal - no resources risk is found).
 - b. Document every site visit and /or ID Team meeting.
 - c. Place all FPA specific e-mails, and pertinent photos into the region file.
 - d. Document complaints and follow-ups in file.
 - e. Document telephone complaints with information of the who answered the phone with the date, who it was passed on to check it out.
 - f. Document Technical Expert site visits,
 - i. FP forester uses ICN's to document site visits that may include reviews associated with geo report, email, etc that were completed before the FPA was filed, (pre-harvest review).
 - g. Technical expert documents consultation associated with FPA & get to region file

Division staff

When division staff receives and or creates documents related to a specific FPA they will forward a copy the appropriate region.

The program understands and accepts that this effort will change the work products generated or methods used by the FPFs will take more time to do so. As an example, if currently the FPF can inspect 6 FPAs per day for compliance than to complete the documentation requirements may only allow them to inspect 5 FPAs which is acceptable to the program.

Appendix B



Caring for
your natural resources
... now and forever

March 23, 2009

TO: RP&S Assistants, Forest Practices District Managers, and Forest Practices Coordinators

FROM: Mary McDonald, Acting FPD Assistant Division Manager – Operations *M. McDonald*

RE: Classifying FPAs with Watershed Analysis Prescriptions

Effective immediately, FPAs containing non-specific mass wasting prescriptions will be classified Class IV-Special. This memo provides guidance on classifying FPAs with watershed analysis prescriptions for unstable slopes or landforms. It also directs staff to resources that will help in processing such applications.

After its February 2008 workshop on the December 2007 Storm, the Forest Practices Board asked the Forest Practices program to review FPA processing on potentially unstable slopes. The Division and the regions have reviewed multiple approved FPAs where watershed analysis mass wasting prescriptions were applied. Through this process we've identified improvements that can be made in classifying FPAs within watershed analysis units.

Classifying FPAs with Watershed Analysis Unstable Slopes Prescriptions

1. Prescriptions must be specific to the site or situation.

WAC 222-16-050(1)(d)(iii)(C) indicates that FPAs need not be classified as Class IV-Special, if "the applicable prescriptions are specific to the site or situation, as opposed to a prescription that calls for additional analysis."

If FPAs contain proposals with watershed analysis prescriptions for forest practices activities on potentially unstable slopes or landforms, the prescriptions must be *specific* in order to not be classified Class IV-Special. Examples of prescriptions that are *not specific enough* to be exempt from a Class IV-Special classification are those that:

- Contain words such as "minimize" or "to the extent possible";
- Require further evaluation and recommendations by a specialist; and
- Require additional review by the forest practice forester or a specialist.

In instances where some prescriptions on potentially unstable slopes or landforms are specific and some are not, the application must be classified Class IV-Special, and a SEPA analysis with a qualified expert report are required. An example may be where harvest prescriptions are specific, but the road construction activities prescriptions are not.

2. New Watershed Analysis Worksheet is now required.

As of March 2, 2009, a new **Watershed Analysis Worksheet** is required with any FPA containing watershed analysis prescriptions within approved Watershed Administrative Units (WAUs). The worksheet was built for the applicant to clarify prescriptions for the forest practices staff to evaluate. A separate worksheet should be used for each WAU. This worksheet is available on the web in the FPA/N instructions at http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_forms.aspx and can also be found at <http://www3.wadnr.gov/dnrapp4/fparsweb/public/FPAForms.aspx>.

Please be aware that the watershed mapping in FPARS is on a broad scale and may not indicate all areas of applicable prescriptions. Some prescriptions require activities outside of the mapped polygon.

Resources for Classifying FPAs with Watershed Analysis Unstable Slopes Prescriptions

1. We've updated the prescriptions identified on the website to make them current. This updated information was available starting on March 2, 2009.
http://www.dnr.wa.gov/ResearchScience/Topics/WatershedAnalysis/Pages/fp_watershed_assessments.aspx
2. Attached is a spreadsheet that shows approved watershed analysis mass wasting prescriptions statewide for your use as a tool while classifying FPAs. Please note that the prescriptions are paraphrased and are not a substitute for the specific prescriptions required in FPAs.

I want to emphasize that this memo only applies to applications within areas where watershed analyses have been approved.

Please assist us by sharing this information at TFW meetings in the near future.

We look forward to working through this issue with you. If you have any questions or need clarification please contact me, Sue Casey, or your region support contact.

cc: Region Managers
C. Turley, Acting Deputy Supervisor for Regulatory Programs
G. Graves, Acting FP Division Manager
S. Casey, T. Meisenheimer, J. Ring, L. Lingley, M. Engel, FP Division



September 28, 2009

TO: RP&S Assistants, Forest Practices District Managers, and Forest Practices Coordinators

FROM: Mary McDonald, Acting FPD Assistant Division Manager – Operations

RE: Classifying FPAs with Watershed Analysis Prescriptions

Effective immediately, FPAs containing non-specific mass wasting prescriptions will be classified as Class IV-Special. This memo provides updated guidance on classifying FPAs with watershed analysis prescriptions for unstable slopes or landforms. It also directs staff to use these resources when processing applications. This memo replaces previous guidance dated March 23, 2009.

After its February 2008 workshop on the December 2007 Storm, the Forest Practices Board asked the Forest Practices program to review FPA processing on potentially unstable slopes. The Division and the regions reviewed multiple approved FPAs where watershed analysis mass wasting prescriptions were applied. Through this process several improvements were identified for classifying FPAs within watershed analysis units. After discussion at the March 2009 Forest Practice Board meeting the Division initiated a re-evaluation of its March 23, 2009 finding to be consistent with prior guidance. The re-evaluation focused on the criteria for the determination of a specific versus non-specific prescription.

Classifying FPAs with Watershed Analysis Unstable Slopes Prescriptions

1. Prescriptions must be specific to the site or situation and not require additional analysis from a specialist in the field of unstable slopes or landforms.

WAC 222-16-050(1)(d)(iii)(C) indicates that FPAs need not be classified as Class IV-Special, if “the applicable prescriptions are specific to the site or situation, as opposed to a prescription that calls for additional analysis.”

If FPAs contain proposals with watershed analysis prescriptions for forest practices activities on potentially unstable slopes or landforms, the prescriptions must be *specific* in order to not be classified Class IV-Special. Examples of prescriptions that are *non-specific and not exempt* from a Class IV-Special classification are those that require further review, evaluation and or recommendations by a specialist in the field of unstable slopes or landforms. Specialists in the field of unstable slopes or landforms are referred to using several terms such as: mass wasting slope stability expert, expert having special education and field experience in mass wasting.

Prescriptions with language similar to existing forest practice rules or requiring a review process similar to the review of a Class II or III application (review by a forest practice forester or an engineer) are *specific* to a site or situation and are eligible for the Class IV-Special exemption.

In instances where some prescriptions on potentially unstable slopes or landforms are specific and some are not, the application must be classified Class IV-Special, and a SEPA analysis with a qualified expert report are required. An example may be where harvest prescriptions are specific, but the road construction activities prescriptions are not.

2. New Watershed Analysis Worksheet is now required.

As of March 2, 2009, a new **Watershed Analysis Worksheet is required** with any FPA containing watershed analysis prescriptions within approved Watershed Administrative Units (WAUs). The worksheet was built for the applicant to clarify prescriptions for the forest practices staff to evaluate. A separate worksheet should be used for each WAU. This worksheet is available on the web in the FPA/N instructions at http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_forms.aspx and can also be found at <http://www3.wadnr.gov/dnrapp4/fparsweb/public/FPAForms.aspx>. Please be aware watershed mapping in FPARS is on a broad scale and may not indicate all areas of applicable prescriptions. Some prescriptions require activities outside of the mapped polygon.

Resources for Classifying FPAs with Watershed Analysis Unstable Slopes Prescriptions

1. We've updated the prescriptions identified on the website to make them current. This updated information was available starting on March 2, 2009. http://www.dnr.wa.gov/ResearchScience/Topics/WatershedAnalysis/Pages/fp_watershed_assessments.aspx
2. Attached is a revised spreadsheet dated July 22, 2009 that shows approved watershed analysis mass wasting prescriptions statewide for your use as a tool while classifying FPAs. The revised spreadsheet reflects current program guidance. The March 23, 2009 spreadsheet should no longer be used. Please note the prescriptions are paraphrased and are not a substitute for the specific prescriptions required in FPAs.

I want to emphasize this memo only applies to applications within areas where watershed analyses have been approved.

Please assist us by sharing this updated information at TFW meetings in the near future.

We look forward to working through this issue with you. If you have any questions or need clarification please contact me, Sue Casey, or your region support contact.

cc: Region Managers
C. Turley, Deputy Supervisor for Regulatory Programs
D. Cramer, FP Division Manager
S. Casey, T. Meisenheimer, G. Galleher, L. Lingley, M. Engel, FP Division

Appendix D

Forest Practices Adaptive Management Program Strategic Goals, Objectives and Tasks

Forests & Fish Report Vision for Adaptive Management: "An Adaptive Management program is necessary to monitor and assess implementation of forest practices rules and achieve desired resource objectives. Adaptive Management is a formal process for evaluating the current resource status and, over time, for evaluating the effectiveness of rules and guidance in protection, maintenance, and enhancement of habitat necessary to meet resource goals and objectives, for making adjustments to forest practices on a regional or statewide basis, and for requiring mitigation, where necessary, to achieve resource objectives." (Forests & Fish Report, p. 70)

Goal 1: Assess and improve Adaptive Management Program efficiency and effectiveness

Objective 1: On an ongoing basis, assess the efficiency and effectiveness of the program in meeting the Program's mission and vision.

- **Task 1:** AMPA / CMER Co-Chairs - By December 2008, develop a timeline estimating when critical questions in the CMER work plan will be answered
- **Task 2:** Forest Practices Operations ADM/ CMP Manager - By December 2008, a steering committee or other collaborative process, shall be established to guide and make recommendations on compliance monitoring efforts. Such a steering committee will need to meet in a timely manner so delays don't occur in the training of survey crews and the collection of field data.
- **Task 3:** AMPA / CMER Co-Chairs - By February 2009, synthesize CMER work completed since 2000, summarize knowledge gained and assess progress towards answering FFR Adaptive Management key questions.
- **Task 4:** Policy Co-Chairs / AMPA / CMER Co-Chairs - By February 2009, clarify when and how research and monitoring results will be used to assess current rules and policies, i.e. should action be recommended in response to each project in a program, or should all projects in a program be completed before action is recommended, or something in between? Review and document decision with caucus principals as necessary.
- **Task 5:** AMPA / CMER Co-Chairs / CMP Manager - By March 2009, determine timing and coordination between compliance monitoring and effectiveness monitoring projects, and report results to Policy. (Note - Task 5 is dependent upon the timing of task 2. The intent is to complete task 5 within three months of the compliance monitoring steering committee's (or similar collaborative process) acceptance of the revised compliance monitoring design.)
- **Task 6:** Policy Co-Chairs / AMPA / CMER Co-Chairs - By March 2009, review the CMER Work Plan to ensure programs/projects are prioritized appropriately, tightly focused on FFR resource objectives/performance targets and key deadlines/time frames are identified.
- **Task 7:** CMER Co-Chairs - By April 2009, revise the CMER Work Plan to incorporate key components of CMER science synthesis, reflect Policy's recommended prioritization of projects and include project schedule estimates.

- **Task 8:** AMPA / CMER Co-Chairs - By December 2009, synthesize applicable non-CMER research for priority topic areas identified as a result of completing Tasks 1, 3 and 6.

Objective 2: Every ten years the structure, process and performance of the Adaptive Management Program will be independently reviewed.

- **Task 1:** Policy Co-Chairs / AMPA / CMER Co-Chairs - By January 2010, obtain independent review of the Adaptive Management Program. This review shall be done by representatives of independent, 3rd party research organizations and include:
 - An examination of the structure and function for technical performance, fiscal efficiency and overall accountability
 - An assessment of the performance and efficiency of the consensus-based decision processes
 - A review of the rigor of CMER science and the responsiveness of CMER work to body of PNW region science that is applicable to the L-1 Key Questions
 - An evaluation of the interactions of science and policy within the AMP

Goal 2: Reestablish and maintain productive, collaborative caucus relationships

Objective 1: In order to more productively resolve contentious forest practices issues, the Department of Natural Resources (DNR) will lead efforts to renew and maintain cooperation and collaboration among the six caucuses as an alternative to competitive lobbying and litigation.

- **Task 1:** Commissioner of Public Lands - By March 2009, convene a meeting of caucus principals to determine their commitment to the Timber, Fish & Wildlife (TFW)/Forests & Fish Report (FFR) vision and ground rules, review caucus relationships, reinforce responsibilities and recognize capacity challenges of caucus representatives, and review how economic viability intersects with the Adaptive Management Program.
- **Task 2:** Caucus Principals - By March 2009, write a joint letter summarizing outcomes of Task 1 and giving appropriate direction to caucus representatives.
- **Task 3:** Policy Co-Chairs / AMPA / CMER Co-Chairs - By May 2009, develop and implement a plan to improve understanding and conformance with WAC 222-12-045, the TFW / FFR ground rules and responsiveness to Board Manual Section 22 guidance.

Goal 3: Secure adequate program funding and enhance communications

Objective 1: To ensure funding is available for caucus participation in the AMP as well as priority research and monitoring projects, the Forest Practices Division Manager, in cooperation with caucus principal support, will lead efforts to obtain stable, adequate, long-term funding.

- **Task 1:** F&F Policy / Caucus leads - Support DNR's unstable slopes decision package, which includes a request to double the GF-S Adaptive Management fund from \$1.2M per biennium to \$2.4M.
- **Task 2:** Policy Budget Committee - By June 2009, develop a plan to obtain dependable, long-term funding adequate for participation, research and monitoring projects, and program management.

Objective 2: Raise the public profile of the AMP.

- **Task 1:** AMPA / Policy Co-Chairs / CMER Co-Chairs - By July 2009, develop and implement an AMP communication and outreach strategy.

Goal 4: Increase research capabilities and scientific knowledge

Objective 1: Strengthen and develop partnerships with other research organizations

- **Task 1:** AMPA / CMER Co-Chairs - On an ongoing basis, explore and develop partnerships with other natural resource research organizations. Report back to CMER and Policy biannually on progress.



**TFW/Forests and Fish Policy
Forest Practices Board**

P.O. Box 47012, Olympia, WA 98504-7012

**Policy Co-Chairs: Stephen Bernath, Department of Ecology
and Tom Robinson, Washington State Association of Counties**

May 14, 2009

MEMORANDUM

To: Forest Practices Board

From: Stephen Bernath, Co-chair
Tom Robinson, Co-chair

A handwritten signature in blue ink, appearing to be "S. Bernath", is written over the name "Stephen Bernath, Co-chair" in the "From:" field.

Subject: Policy Priorities for FY2010

In the last six months, the Forests and Fish Policy Committee (Policy), has revisited its priorities twice, because of the urgency of issues affecting our work. The following list reflects our most urgent priorities.

1. **Adequate funding of the adaptive management program.** As will be explained to you at the May 20, 2009 Forest Practices Board meeting, the annual funding by the federal government ended a couple of years ago. The balance of this funding will run out during FY2010. In addition, the Forests and Fish Support Account, because of the economic downturn, is not fully funded. The adaptive management system will experience approximately a \$2 million shortfall in capacity and resources in FY2011. This shortfall will undermine progress toward completing necessary studies to determine if forest practices are effective and determine if there is a positive trend in protecting public resources such as water quality. Without a full court press in the next 12 months to make up for this shortfall, the adaptive management program will face a 60-70% reduction in staff and funding to perform its work, putting the adaptive management system at risk.
2. **Clean Water Act assurances.** The Department of Ecology is on its second draft of a review of the forest practices program/system to determine if it is adequate for protecting and restoring water quality on state and private forest lands in the state. This review is scheduled to be completed by July 2009. There will be a separate discussion on this during the Forest Practices Board meeting on May 20, 2009.

3. **Adaptive Management Strategic Plan implementation.** Full implementation of the actions identified in the strategic plan are essential to reviewing how the system has worked after 10 years, and making mid-course corrections to adjust and improve performance, efficiencies and priorities. Part of this effort is also getting a recommitment by the caucuses to the adaptive management system. The strategic plan for adaptive management is complimentary to the Clean Water Act needs.
4. **Water typing.** Work should resume to shift from a last-fish-based system to implementation of a last-habitat-based system. A focus on this work is needed to determine where protections end for fish-bearing streams and begin for non-fish-bearing streams.
5. **Type Np/Ns waters.** Develop an action plan to determine whether there is a better alternative for protecting Type N waters than to identify the uppermost point of perennial flow in the field. This would improve the current approach of best professional judgement.

The first three items above, in particular, have many sub-tasks. There is no doubt that Policy could easily spend all its resources on just one of these priorities in the next year. Additional priorities are likely to take away from timely efforts on funding, Clean Water Act assurances and implementation of the adaptive management strategic plan. For example, Policy recognizes the need for riparian rules to be simplified from an implementation perspective, and the need to address the disproportionate economic effects on small forest landowners. However, there is no consensus on a solution to this issue at this time and it will take significant work by all stakeholders to be addressed successfully.

Finally, please be cognizant that Policy and CMER operate by consensus and are primarily staffed by members volunteered by their organizations. Also, this is not a full time resource-based system. Each of the Policy and CMER members have other assigned duties from their respective employers/interests and many times play multiple roles within the forest practices system, such as board support work and field implementation of forest practices.

cc: Forest Practice Board Liaisons
FFR Policy Members

Appendix F

Pre Electrofishing

1. Name of project: Type N Experimental Buffer Study

Date of project implementation: July-October, 2008

Primary contact for project: Bill Ehinger/Marc Hayes

Names of watersheds where surveys will be conducted:

Extreme headwater tributaries to: Willapa River, North River, Wishkah River, Clearwater River, Humptulips River.

2. Estimate the number of listed fish or miles of listed-species habitat affected by electrofishing activities:

0 miles.

3. Provide names and qualifications of the staff, contractors, or cooperators who will be supervising the field work:

Aimee McIntyre, Project technician, Washington Department of Fish and Wildlife. Jason Walter, Senior Aquatic Research Technician, Weyerhaeuser Company.

4. Provide a copy of the operating protocols designed to reduce effects to listed fish while maintaining the efficiency of the surveys and monitoring (operating protocol includes guidelines by National Marine Fisheries Service (NMFS 2000) and any subsequent updates):

None required. No sampling in streams containing listed fish.

Post Electrofishing

1. Document the length of stream-survey and electrofishing activity:

800 meters total stream length sampled twice yearly.

2. Document any listed-fish encounters:

None.

3. Document any effects that rose to the level of incidental take (harm to habitat or listed species) including mortality:

None.

4. List the apparent condition of all listed fish specimens encountered:

N/A



Family Forest Fish Passage Program

2008 Implementation Report

Five Years of
Helping Small Forest
Landowners and
Washington's Fish





A bridge installed with FFFPP funding that weathered the December 2007 storm, Pants Creek, Thurston County.



An undersized culvert that was washed out by the December 2007 storm, upstream on Pants Creek, Thurston County.

PHOTO: LAURA TILL, WDFW

Removal of fish passage barriers around Washington can help to restore declining salmon and trout populations. A fish passage barrier is a human-made structure, often associated with a road crossing. As barriers across the state are fixed, access to miles of vital habitat is restored. The goal is to have all fish passage barriers on state and private forestlands corrected by 2016.

The Family Forest Fish Passage Program has been opening habitat for Washington's fish and helping small forest landowners for 5 years!

The Family Forest Fish Passage Program (FFPP), funded by the legislature, offers financial and technical assistance to small forest landowners across the state interested in correcting fish barriers on their land. Fish barriers are often undersized culverts or other structures on forest road crossings over streams.

To date, the FFFPP has funded the correction of over 180 fish barriers that open over 430 miles of habitat to salmon, steelhead, trout, and other native fish species throughout Washington. We're finding

adult and juvenile fish in upstream stretches where they haven't been seen in years!

The average cost of a project is \$64,618 and the average habitat gain is 2.23 miles. In 2009, the FFFPP aims to complete 28 barrier corrections.

Land managers recognize that forest roads have an impact on the health of our streams and fish if they are delivering sediment to streams or blocking fish movement. Forest roads often cross streams over undersized or improperly installed structures, such as culverts, that create fish barriers. These barriers prevent fish from accessing upstream spawning and rearing habitat that is critical for the health of the fish populations.

In 1999, legislation was created that requires all forest roads to

be brought up to new forest roads standards. In 2003, the Family Forest Fish Passage Program was created to provide financial and technical assistance to small forest landowners to repair their fish barriers. The program is administered by Washington Department of Natural Resources (DNR), Washington Department of Fish and Wildlife (WDFW), and the Recreation and Conservation Office (RCO).

The Family Forest Fish Passage Program pays 75-100 percent of the cost of removing a fish barrier and replacing it with a fully fish passable structure such as a larger culvert or bridge.

FFPP Projects Survive December 2007 and 2008 Storms

In December of 2007 and 2008, large rain and wind storms occurred in western Washington that destroyed many stream crossings. When correcting a fish barrier, the new structure not only needs to allow for fish passage, but must also be able to stand up to flooding and let logs and debris pass downstream. The Family Forest Fish Passage Program has been planning projects with this in mind and we're proud to report that out of over 100 projects that we've completed in western Washington, we've only had to perform repairs on 3 structures. The rest handled high water flows and debris movement very well.



Known fish barriers



Known fish barriers after survey

Funded Projects (as of January 09)

PROJECT LOCATION/COUNTIES	FUNDED SITES	HABITAT OPENED (STREAM MILES)
OLYMPIC PENINSULA / CLALLAM / JEFFERSON	19	26.66
LOWER COLUMBIA AND WILLAPA RIVER / WAHIAKUM / CLARK / COWLITZ / SKAMANIA / KLIKITAT / YAKIMA / PACIFIC	27	84.75
CHEHALIS RIVER / GRAYS HARBOR / LEWIS	42	89.04
NORTH PUGET SOUND / WHATCOM / SKAGIT / SAN JUAN	16	16.56
MID-PUGET SOUND / KING / KITSAP SNOHOMISH / ISLAND	15	17.11
SOUTH PUGET SOUND / MASON / THURSTON / PIERCE	24	53.05
NE WASHINGTON / KITTITAS / CHELAN / FERRY OKANOGAN / STEVENS / PEND OREILLE / SPOKANE	32	124.77
SE WASHINGTON / WALLA WALLA / COLUMBIA / GARFIELD / ASOTIN	7	27.28
TOTAL	182	439.26

The Process

Landowners apply to the program by submitting a simple application to DNR (contact info on last page). DNR makes sure the barrier is on a fish bearing stream on forest land. WDFW determines the amount of fish habitat a project will open and the species that would benefit. Each year the Family Forest Fish Passage Program funds the correction of about 30 of the highest priority barriers around the state. RCO provides contract administration and financial accounting for each project.

Looking Ahead – Locating Washington’s Fish Barriers and Increasing Correction Capacity

Continuing program success depends on evaluating and prioritizing landowner’s stream crossings. The Family Forest Fish Passage Program hopes to complete a comprehensive stream barrier inventory in a number of watersheds in the coming years. An inventory will enable the program to contact the owners of fish barriers in an effort to get them to apply to the program.

The Family Forest Fish Passage Program works with over 30 conservation groups from around the state to serve as local sponsors for each of our projects. To increase the number of projects completed each year requires recruitment of additional sponsors to increase workload capacity.

When a landowner applies to the FFFPP, an upstream survey takes place. An 8.5 mile walk in the Turner Creek drainage helped the FFFPP to locate 12 fish barriers that were previously missing from the statewide database.

IMAGE AND DATA SOURCE: LAURA TILL, WDFW

// This effort is a fine example of public and private cooperation for the good of nature and people.”

ROB HODEMAN
KING COUNTY LANDOWNER

Fish Passage Team

The Fish Passage Team, which manages the day-to-day program implementation, is made up of representatives from the Department of Natural Resources (DNR), Washington Department of Fish & Wildlife (WDFW), and the Recreation & Conservation Office/Salmon Recovery Funding Board (RCO/SRFB).

Through the team, the agencies work cooperatively on all aspects of the program. DNR's Small Forest Landowner Office is the main point of contact for program information. DNR provides outreach, determines eligibility, coordinates additional funding sources and match, and decides which projects receive funding.

WDFW evaluates and ranks projects and provides technical assistance on project design. RCO/SRFB administers the funding. The Fish Passage Team provides a coordinated approach to implementation of the program.

Local Groups are Key to the Program

Local groups experienced in fish passage corrections complete most of the projects. Correcting a fish barrier is often a complicated and time-consuming process. Project management is conducted by organizations familiar with grant management, permitting and fish barrier correction. The entity managing a funded project is called a sponsor. A sponsor may be:

- ▶ A conservation district, regional fisheries enhancement group, local fish-related non-profit organization, tribe, etc., or
- ▶ The landowner, if he or she wishes to manage all aspects of the project

Working with a sponsor minimizes a landowner's work. Sponsors manage the project design, permitting, construction oversight, billing, and grant management for the landowner.

Fish passage professionals are available to assist the sponsor in designing and managing the project.

// If our FFFPP project hadn't been installed last summer, we'd have been stranded with a flooded roadway for four days this past winter. After the waters receded, significant repairs would have been needed to our old structure, and there certainly wouldn't have been much fish movement. //

CHUCK BOOTH
PACIFIC COUNTY LANDOWNER

Project Sponsors

REGIONAL FISHERIES ENHANCEMENT GROUPS
Hood Canal Salmon Enhancement Group
Mid-Puget Sound Fisheries Enhancement Group
Nooksack Salmon Enhancement Group
Pacific Coast Salmon Coalition
South Puget Sound Salmon Enhancement Group
Skagit Fisheries Enhancement Group
Stilly-Snohomish Task Force
Tri-State Steelheaders
Willapa Bay Fisheries Enhancement Group

CONSERVATION DISTRICTS
Clallam Conservation District
Clark Conservation District
Cowlitz Conservation District
Ferry Conservation District
Jefferson Conservation District
Kitsap Conservation District
Lewis County Conservation District
Mason Conservation District
Okanogan Conservation District
Pacific Conservation District
Pend Oreille Conservation District
Spokane County Conservation District
Stevens County Conservation District
Thurston Conservation District
Underwood Conservation District
Wahkiakum Conservation District

TRIBES
The Confederated Tribes of the Colville Reservation
Lower Elwha Klallam Tribe
Nooksack Indian Tribe
Stillaguamish Tribe of Indians
Tulalip Tribes
Yakama Nation

OTHER ORGANIZATIONS AND LANDOWNERS
Chinook Engineering
Fisheries Consultants
Frame, LLC
Hoh River Trust
Kittitas Conservation Trust
Pacific Forest Management
PB Lumber
Pursley Family
Stewardship Partners
Streamworks
Waterfall Engineering
Wild Fish Conservancy

Agency Contact Information

How do I apply to the program or get more information?

To apply to the program, or to get more information, visit: www.dnr.wa.gov and search for Small Forest Landowner Office.

Program Partners

PROGRAM OUTREACH

Department of Natural Resources Small Forest Landowner Office

Natural Resources Building
1111 Washington Street
PO Box 47012
Olympia, WA 98504-7012
Contact: Scott Potter (360) 902-1404
TTY: (360) 902-1125
www.dnr.wa.gov

PROJECT EVALUATION AND RANKING

Department of Fish and Wildlife Habitat Management Program

600 Capitol Way
Olympia, WA 98501-1091
Contact: (360) 902-2352
TTY: (360) 902-2207
www.wdfw.wa.gov

PROGRAM FUNDING

Salmon Recovery Funding Board

Natural Resources Building
PO Box 40917
Olympia, WA 98504-0917
Contact: (360) 902-2649
TTY: (360) 902-1996
www.rco.wa.gov

LANDOWNER ORGANIZATION

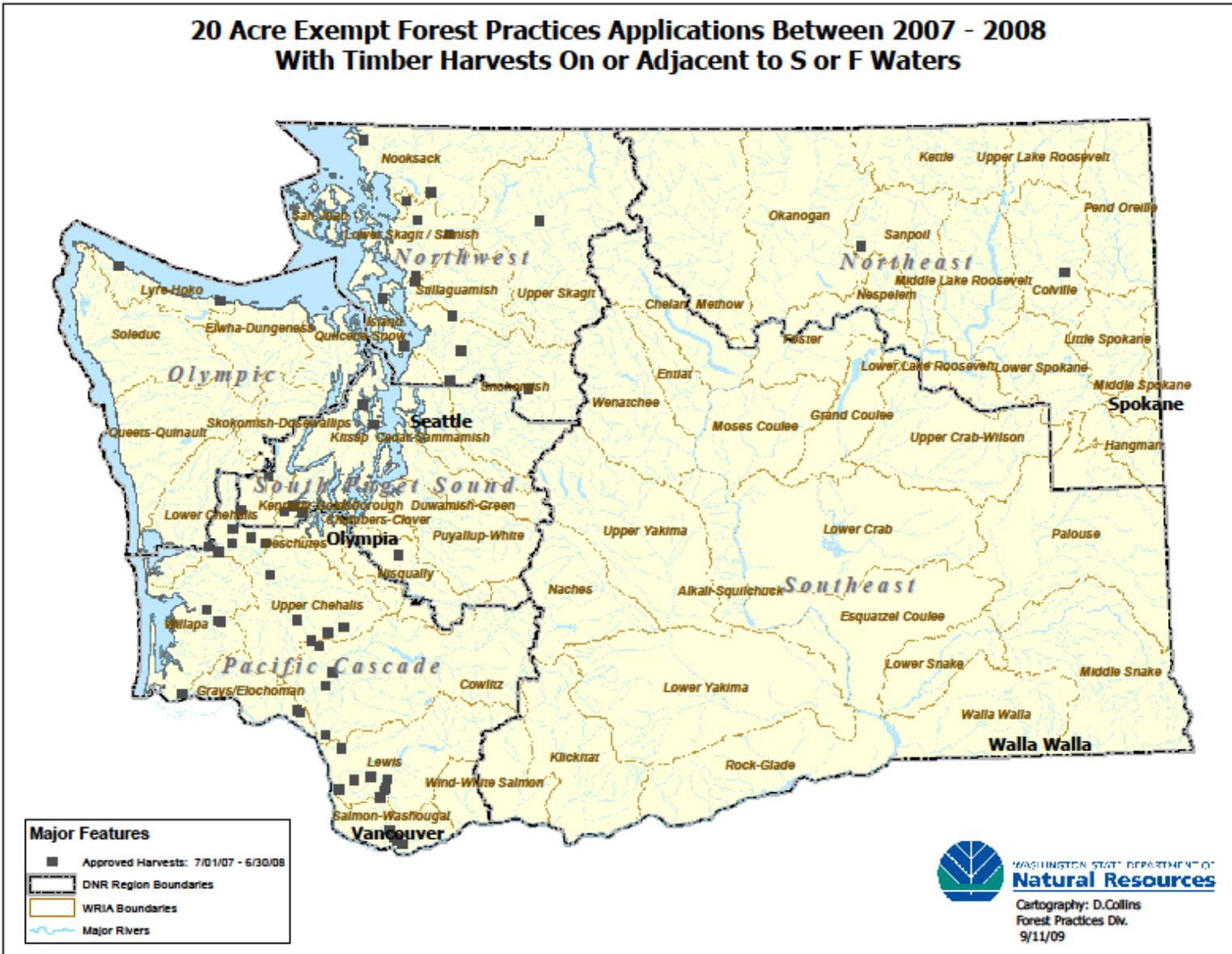
The Washington Farm Forestry Association joins the agencies on a steering committee.

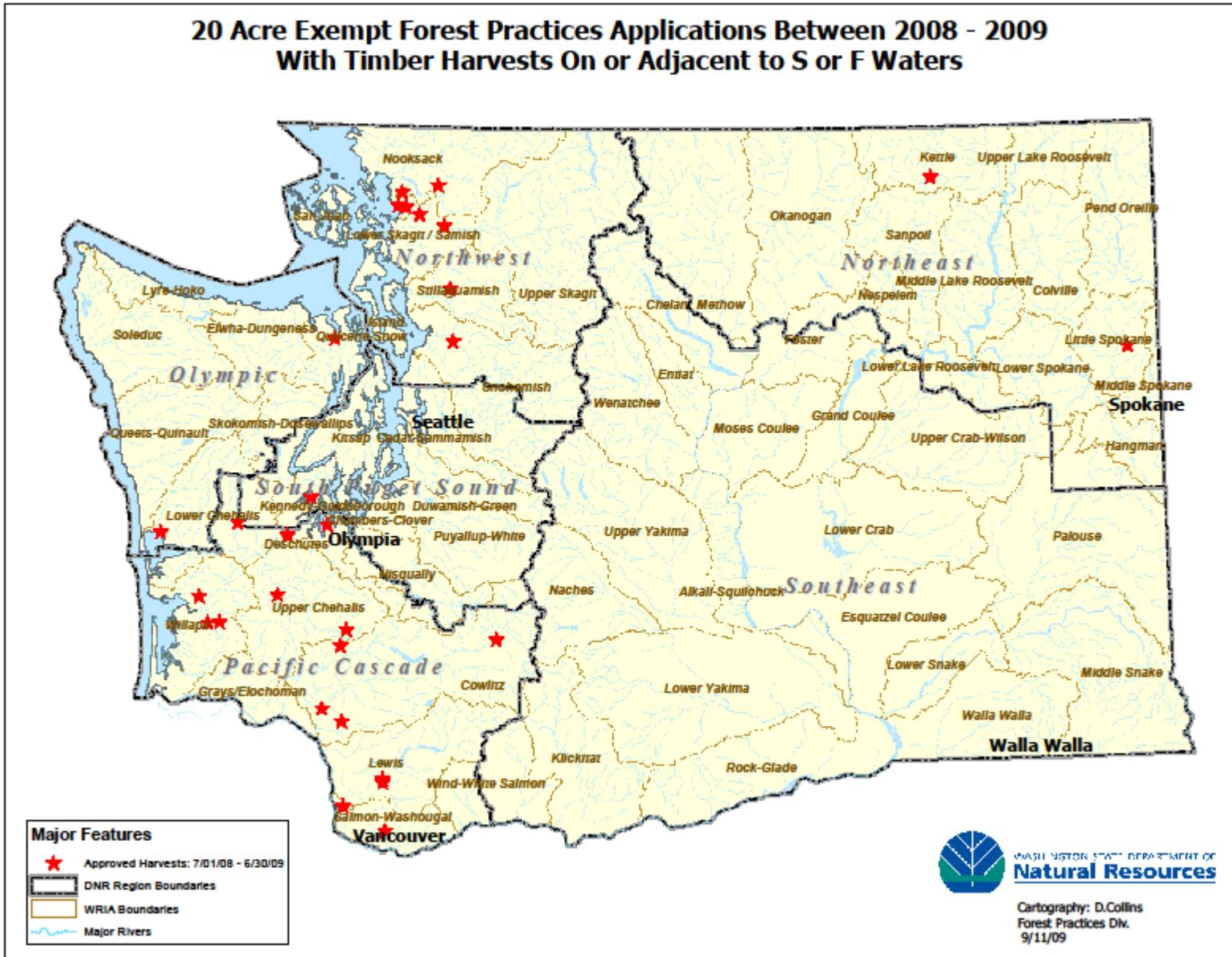
Washington Farm Forestry Association

PO Box 1010
Chehalis, WA 98532
Contact: Sherry Fox (360) 520-6010
www.wafarmforestry.com

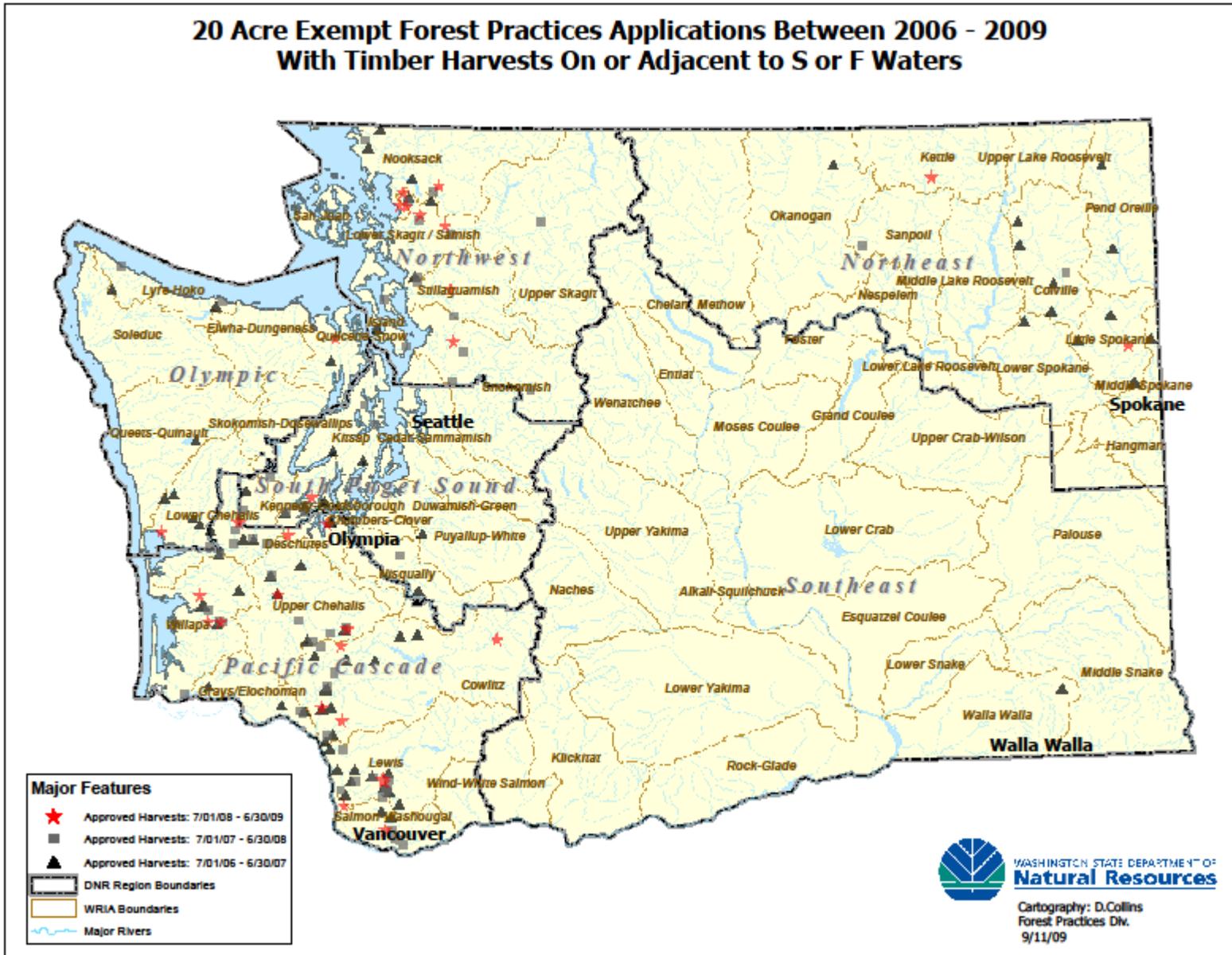
PRINTED ON RECYCLED PAPER, MARCH 2009   

20 Acre Exempt Forest Practices Applications Between 2007 - 2008 With Timber Harvests On or Adjacent to S or F Waters





20 Acre Exempt Forest Practices Applications Between 2006 - 2009 With Timber Harvests On or Adjacent to S or F Waters



Appendix I

Bull Trout Areas of Concern on 20-Acre Exempt Applications Review Process

May 5, 2008

Revised on February 13, 2009

The USFWS' Incidental Take Permit (ITP) includes a condition related to 20-acre exempt forest practices applications that fall within specific bull trout spawning and rearing habitat Populations. Twenty-acre exempt forest practices that fall within these areas and are determined by USFWS to "measurably diminish" riparian function as compared to that which would be provided by standard rules will not be covered under the ITP. The USFWS provided the state with GIS layer that shows these areas of concern. The layer is available in DNR's Forest Practices Risk Assessment Tool (FPRAT), in the Plants, Animals, and Habitat Folder, and is called "FPHCP Bull Trout Populations".

In order to protect bull trout habitat in these areas, the USFWS and DNR's FPHCP administrator have developed a process to be notified quickly of applicable 20-acre exempt forest practices applications and to notify landowners of ITP coverage by the FPA decision due date.

- Through the Forest Practices Application Review System (FPARS), FPHCP Administrator is notified of all 20-acre exempt applications, including those within the delineated bull trout populations. FPHCP Administrator scans the applications to determine if any fall within the areas of concern and takes note of the classification. A class II notification can commence within 5 days after acceptance by DNR. A class III application has a review period of 14 days.
- When a 20-acre exempt application falls within the Bull Trout populations, FPHCP Administrator contacts USFWS to jointly review the 20-acre exempt application. When the FPHCP administrator is not available, the Forest Practices Division (FPD) Operations staff will contact USFWS.
- The FPHCP administrator (or FPD Operations staff) notifies the appropriate region forest practices coordinator of the review.
- Within a few days of initially receiving the application, USFWS and FPHCP Administrator (or FPD Operations staff) makes every effort to review the application in the office and decide if the forest practice will measurably diminish the level of riparian function. The decision will be made no later than the 4th day of a Class II notification or the 13th day of a Class III or Class IV application. In addition, USFWS will send their comments in writing (via e-mail) to the FPHCP administrator (or FPD Operations staff) and to the region simultaneously by the 4th day of a Class II notification or the 13th day of a Class III or Class IV application.
- If the FPA is not authorized under the ITPs due to diminished riparian function, the region forest practices coordinator notifies the applicant via a form letter (that has been

provided by Division operations staff). The letter is sent concurrently with the FPA decision.

NOTE: The landowner's forest practices application **would** be covered under the ITP if the application follows **standard** forest practices RMZ rules as listed in WAC 222-30-021 or WAC 222-30-022 and does not employ the 20 acre exemption rules in WAC 222-30-23.



WASHINGTON STATE DEPARTMENT OF
Natural Resources

To: RP&S Assistants, Forest Practices District Managers
Date: June 26, 2009
From: Mary McDonald, Acting Assistant Division Manager, Operations
Subject: Tracking Landowner/Tribal Meetings for the Forest Practices Habitat Conservation Plan (FPHCP) Annual Report

The Forest Practices HCP requires DNR to report annually on the landowner/tribal meetings required by WAC 222-20-120 and on any improvements to the landowner/tribal meeting process. This commitment is found in Table 1.1 on page 9 in the FPHCP.

The Services (USFWS and NOAA Fisheries) specified the following data be provided in the FPHCP annual report:

- The number of forest practices applications submitted to DNR during the reporting period (July 1 – June 30) that required a meeting pursuant to WAC 222-20-120 (2), and
- The number of those required landowner/tribal meetings that took place.

Following the Historic Site Rule Making Training in September 2008, questions regarding landowner/tribe meetings were added to the regions' Forest Practices Master Log to provide the required data:

1. *Landowner/Tribe meeting required?* *Yes or No*
Only if the answer to this question is "Yes", proceed to question #2.
2. *Tribal notification*
3. *Landowner/Tribe meeting took place?* *Yes or No*

Every year in early July the FPHCP Administrator(s) (currently Charlene Rodgers and Carol Walters) will call each region that has a FPA(s) where a landowner/tribe meeting was required but did not take place, to collect information regarding the circumstances surrounding the lack of the meeting. Regions will document the circumstances in the FPA file and be ready to refer to the file to provide the information needed each July.

Note: The September 2008 draft training document “Historic Site rule making training v.5 9/17/08 revised 9/19/08” provides guidance on DNR implementation of the landowner/tribe meeting requirement in WAC 222-20-120. See pages 3 and 4.

This year’s (July 2008 – June 2009) FPHCP annual report to the Services will include region data since September 2008. If you have not entered your data into the Master Log yet, please do so immediately.

In order to provide the required data to the Services for each year’s FPHCP annual report, the regions need to have current and accurate information in their region’s Master Log regarding landowner/tribe meetings. The FPA file should contain documentation of the landowner/tribe meeting process so that the data is available when needed. The FPHCP Administrator(s) will access the region’s Master Log in July of each year to obtain the region’s data and call the region for more detailed information when one of the FPAs had a required landowner/tribe meeting that did not take place.

If you have any questions, contact Carol or Charlene at 360-902-1409 regarding HCP reporting requirements. Contact myself or the regions support group with rule implementation questions and concerns.

- c. Julie Sandberg
- Marc Engel
- Carol Walters
- Charlene Rodgers
- Sue Casey
- Sherri Felix

MEMORANDUM of UNDERSTANDING

between
RECREATION AND CONSERVATION OFFICE/SALMON RECOVERY FUNDING BOARD
and
WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
and
WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE
on the

FAMILY FOREST FISH PASSAGE PROGRAM**Introduction**

Small forest landowners own an estimated 4.2 million acres of Washington’s forests—about half the private forestland in the state. These family forests are important to fish because they include thousands of miles of fish-bearing streams.

A key action in restoring fish populations is removing barriers to fish passage. A single artificial barrier on a stream can keep fish from reaching many miles of habitat upstream. To help protect fish (a public resource), state Forest Practices Rules require that fish barriers be addressed by 2016.

Because eliminating fish passage barriers can be costly, especially for the family forest landowner, the 2003 Washington Legislature established the Family Forest Fish Passage Program (RCW 76.13.150). In general, the law requires that:

- The state create a cost-share program that provides 75-100 percent of the cost of correcting small forest landowners’ fish barriers.
- Small forest landowners enrolling in the program are not obligated to fix barriers on their land unless financial assistance is available from the state.
- Funding for the program must be sought by DNR.
- Barriers are to be prioritized and repaired on a “worst-first” basis.

Once a year, projects submitted to the program are prioritized according to the “worst first” criterion, and the projects providing the greatest benefit to public resources are funded. Lower priority projects remain in the program to be funded once they become high priority and money is available.

By signing up for the program, a landowner is relieved of the obligation to fix a fish passage barrier until the state determines the barrier is a high priority.

The purpose of this Memorandum of Understanding (MOU) is to clearly outline the responsibilities of each agency in implementing the Family Forest Fish Passage Program. The MOU is designed to provide the flexibility agencies might need to contribute most effectively to implementation of the program. The MOU will be revisited and adjusted each biennium if necessary.

PROGRAM GOALS

- Assist small forest landowners in meeting their fish passage obligation under Forests and Fish rules.
- Target funding to the barriers causing greatest harm to fish passage, fixing the worst first.
- Establish a ranked inventory of fish passage barriers on land owned by small forest landowners.
- Establish a simple process for the landowner.
- Utilize the expertise and efficiencies of local groups to implement projects.

PROGRAM PARTNERS, ROLES AND RESPONSIBILITIES

The program partners are: the Recreation and Conservation Office and Salmon Recovery Funding Board (RCO/SRFB), the Washington State Department of Natural Resources (DNR), and the Washington State Department of Fish and Wildlife (WDFW). The program partners agree to the following:

The **Small Forest Landowner Office** at the **Department of Natural Resources (DNR)** is the main point of contact for Program information. The office assists landowners, determines eligibility, provides outreach and coordinates funding sources.

The **Washington Department of Fish and Wildlife (WDFW)** evaluates and ranks projects, and also provides information on fish barriers, fish species, habitat, Lead Entities, and watershed groups.

The **Recreation and Conservation Office/Salmon Recovery Funding Board (RCO)** administers program funding and provides information on program contracts, billing and reimbursement.

All agencies agree to:

1. Work cooperatively to develop program policies
2. Update guidelines, brochure and application forms
3. Staff a Fish Passage Team contingent on program funding.
4. Work cooperatively on program outreach
5. Coordinate with Lead Entity groups to establish a ranked inventory of fish barriers on land owned by small forest landowners based on the principle of fixing the worst first within a watershed
6. Work with existing local groups to complete watershed wide inventory work when opportunities are available

In addition, the agencies agree that the **Washington Farm Forestry Association (WFFA)** serves in an advisory capacity to the Program and assists with policy development on behalf of family forest landowners statewide. The agencies further agree to consult a variety of interests including but not limited to conservation districts, Regional Fisheries Enhancement Groups (RFEG's), Lead Entities, and tribes.

The agencies agree to work according to the structure and process described in Appendix A (attached).

Decision Making Process

All agencies agree to a consensus-based decision-making process through the Fish Passage Team and the Steering Committee. Consensus means general accord or collective opinion; consensus does not require a

unanimous opinion. In the event that a consensus cannot be achieved, management staff from each agency shall meet and attempt in good faith to resolve the matter.

Program Budget Requests

The program budget is jointly developed by the three agencies working through the Steering Committee.

Reports

The Fish Passage Team will prepare an annual “Implementation Report” to highlight completed projects. This report will be submitted to the directors of Washington Department of Fish & Wildlife, Washington Department of Natural Resources, and Recreation and Conservation Office. The report is used to provide a yearly update to legislators, public, lead entities, project sponsors, small forest landowners, and other interested parties.

MOU Management

The Fish Passage team has primary responsibility for implementation. Team members for each of the agencies shall be the contact person for all communications and notices regarding the performance of this MOU:

- | | |
|---------------|--|
| For RCO/SRFB: | Dave Caudill
Project Manager
Recreation and Conservation Office
P.O. Box 40917
Olympia, WA 98504
Phone (360) 902-2649 |
| For DNR: | FFFPP Program Specialist
Washington Department of Natural Resources
P.O. Box 47012
Olympia WA 98504-7012
Phone (360) 902-1404 |
| For WDFW: | Bob Zeigler
FFFPP Administrator
Habitat Program
Washington Department of Fish and Wildlife
600 Capitol Way
Olympia, WA 98501-1091
Phone (360) 902-2578 |

Alteration and Amendments

This MOU may be amended by the mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by the appropriate signers from each party.

Implementation

This MOU is effective as of the date signed by all parties.

Rachael Langen, Deputy Director
Recreation and Conservation Office

Date

Julie Sandberg, Division Manager,
Forest Practices Division
Washington Department of Natural Resources

Date

Greg Hueckel, Assistant Director, Habitat Program

Date

Washington Department of Fish and Wildlife

Agency Roles and Responsibilities

Department of Natural Resources

1. Lead on public outreach and landowner enrollment, coordinated with WDFW/RCO
2. Receive applications and make initial landowner contact
3. Determine project eligibility based on definitions of Small Forest Landowner, Forestland and Fish-bearing Stream
4. Notify landowner of eligibility
5. Coordinate with WDFW for determination on fish-bearing or non-fish bearing streams
6. As staff time allows conduct barrier evaluations and expanded barrier evaluations when requested by WDFW
7. Coordinate with WDFW and Lead Entities to collect current information on barriers
8. Seek funding sources to increase funds available for FFFPP goals
9. Use WDFW ranked inventory to establish final prioritized list for project funding
10. Determine cost-share portion from landowner with Dept. of Revenue information
11. Conduct final inspection visits as requested from RCO
12. Maintain data base of small forest landowner information.

Washington Department of Fish and Wildlife

1. Coordinate barrier evaluations and completion of Barrier Evaluation Forms
2. Conduct site reviews when specialized expertise is needed
3. Coordinate completion of Expanded Barrier Evaluation forms
4. Coordinate completion of Correction Alternative Forms and cost estimate templates and designs
5. Complete Expanded Barrier Evaluation Forms in areas where local expertise is not available
6. Provide preliminary project ranking
7. Generate watershed maps of fish use, potential habitat and other known barriers
8. Match sponsors with projects
9. Provide design/engineering review of high priority projects with engineers outside of WDFW or Contract Engineers
10. Update the WDFW Fish Passage Diversion Screening Inventory database
11. Provide barrier evaluation training for field staff (RFEG's, Conservation District's etc.)
12. Conduct final inspection visits as requested by RCO
13. Gather and synthesize existing information about locations and impacts of fish barriers in the state
14. Maintain inventory of fish passage barriers on lands owned by small forest landowners (updated annually).

Recreation and Conservation Office, Salmon Recovery Funding Board:

1. Manage project tracking through PRISM
2. Provide project reports from PRISM database
3. Maintain files on all projects
4. Manage grant funding process
5. Develop project agreements, applications, forms, manuals, etc.
6. Conduct grant management trainings including application/successful applicant workshops.
7. Work with project sponsors during grant process
8. Assist with project prioritization
9. Manage funds in program budget
10. Coordinate post-construction compliance checks and project monitoring
11. Notify landowners of funding status.

FFFP Steering Committee

Members – The Family Forest Fish Passage Program Steering Committee is made up of the following members

Title	Organization
Forests & Fish Coordinator	WA. Farm Forestry
Section Manager	RCO/SRFB
Assistant Division Manager	WDNR
Forest Policy Lead and Section Manager Forest Habitat	WDFW
SFLO Program Manager	WDNR

Roles and responsibilities of the Steering Committee include:

Review relevant policy developed by Fish Passage Team

The Steering Committee reviews and guides all major policy and program implementation recommendations made by the Fish Passage Team. The Committee reviews outreach materials, program policies, funding decisions and other significant program development considerations.

Review draft list of prioritized projects

The Steering Committee reviews the Fish Passage Team’s ranked project list. At the end of its prioritization process, the Fish Passage Team will prepare a presentation to the Steering Committee of all projects submitted during a given funding cycle. Typically, a spreadsheet will be provided of the entire list of projects detailing the most pertinent information used to make a priority determination. A media presentation may be made of the proposed high priority projects thereby allowing the Steering Committee the opportunity to more thoroughly review this list. The Steering Committee has the option to upgrade lower priority projects or downgrade higher priority projects if justification can be provided. The resulting list is provided to Lead Entities for review and comment.

Approve final list

The Steering Committee reviews the final project list produced after Lead Entities have provided comments. The Committee makes final funding recommendations; DNR Forest Practices Division makes final funding decisions.

Review project cost adjustments

If a project sponsor requests a project budget adjustment exceeding 20% of initial funding, the Steering Committee will be asked to review the budget adjustment. The Fish Passage Team will make an initial review of the request and make a recommendation to the Steering Committee. The Steering Committee can opt to accept the Fish Passage Team's recommendation, request additional information on the project and budget, or reject the budget adjustment request.

Steering Committee Meetings

There is an average of three meetings per year. DNR prepares the meeting agenda with input from the Fish Passage Team and takes notes summarizing the decisions and action items.

External Funding

DNR is the lead for seeking external funding sources to obtain the FFFPP program goals. DNR works with the Fish Passage Team to identify projects as candidates for external funding. DNR coordinates with local groups to submit proposals to obtain funding for high priority projects.

Fish Passage Team

The role of the Fish Passage Team is to coordinate activities of the program. This includes processing the landowner applications and entering the appropriate information in PRISM. A major role of the team is to develop all of the project information, including maps, coordinating barrier evaluations, documenting habitat gain, developing rough cost estimates, and providing a ranked project list to the Steering Committee. Activities of the Fish Passage Team are summarized below. The Team works cooperatively to implement the Agency Roles and Responsibilities.

FFFPP Fish Passage Team Staff

TITLE	ORGANIZATION
Natural Resources Program Specialist	WDNR
FFFPP Outreach	WDNR
SRFB Project Manager	SRFB/RCO
FFFPP Program Administrator	WDFW
Fish & Wildlife Biologist	WDFW

Landowner Applications

DNR is the initial contact with the applicant. DNR verifies whether the landowner is eligible for the program and if there are cost-sharing obligations.

List of Prioritized Projects

The WDFW has the primary responsibility for assembling site-specific project information used in developing the funding recommendation from the Fish Passage Team.

Program Policy Recommendations

The Fish Passage Team, working cooperatively, provides recommendations to the Steering Committee for updating the Program Guidelines annually.

Cost Adjustments

From time to time project sponsors may need to adjust project costs due to design changes, increased construction costs, bids coming in higher than expected etc. The Fish Passage Team will review all cost change requests. RCO/SRFB staff will present a cost change form to the Fish Passage Team for approval. If the cost change is below 20% of the total original project cost the Fish Passage Team may approve the request which is documented on the Cost Change Form and part of the documentation requirements for the amendment. If the request is greater than 20% of the total project cost the Fish Passage Team provides a recommendation and forwards to the Steering Committee for approval.

Steering Committee Participation

DNR is the lead facilitator of the Steering Committee. The Fish Passage Team helps develop the agenda and bring issues to the Steering Committee for discussion.

PRISM

PRISM is the primary database for tracking FFFPP projects. Members of the Fish Passage Team have direct access to PRISM to add, edit, and delete project information related to the FFFPP projects. PRISM is a valuable tool for tracking project agreements, project budgets, evaluation materials, and funds.

Project Site Visits

The Fish Passage Team goal is to visit every high priority project being considered for funding. Site visits help gain an understanding of stream characteristics and dynamics, surrounding landscape, proposed fix, and overall quality of the project. Post project site visits help showcase the work of sponsors and gain an understanding and appreciation of project implementation.

Program Outreach

DNR is the lead on program outreach. However, the Fish Passage Team helps support this function by providing presentations to various groups when requested. The Fish Passage Team also helps develop and review outreach materials like the program brochure, Implementation Report, and Program Guidelines. The Fish Passage Team also encourages local sponsors to promote the program by highlighting projects in local newspapers and publications.

Coordination with Lead Entities

The Fish Passage Team sends a letter and documentation supporting the preliminary funding recommendation to the Lead Entity. They are notified that specific project information, photos, maps, barrier evaluation forms, preliminary design concepts, and cost estimates are available for viewing on the RCO/SRFB PRISM database online. The purpose is to provide the Lead Entity the opportunity to review project priorities, brief them on the program, and incorporate their comments in the Fish Passage Team's funding recommendation to the Steering Committee.