

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.