



**Timber, Fish and Wildlife Policy Committee
Forest Practices Board**

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

**Policy Co-Chairs: Stephen Bernath, Department of Ecology
Adrian Miller, Olympic Resource Management**

MEMORANDUM

DATE: August 18, 2014

TO: Aaron Everett, Chair
Forest Practices Board

FROM: Stephen Bernath and Adrian Miller, Co-chairs
TFW Policy Committee

SUBJECT: Update to the Forest Practices Board on May, 2014 Board Motions on Mass-wasting

TFW Policy has developed a comprehensive process to provide a thorough response to the Forest Practice Board's motions from the May board meeting.

The purpose of this memo is to provide an overview of the process to date and to provide the Forest Practice Board with some context for TFW Policy's deliberations on the motions. This reflects the Co-Chair's perspective on the status of the conversations and should not be viewed as a consensus opinion on the substance or the status of TFW Policy's work. We will be providing a more specific update to the Forest Practice Board at their September meeting.

TFW Policy has completed the process review in response to the Mass Wasting Effectiveness Study with respect to both public resources and public safety. TFW Policy has made two recommendations to the Department of Natural Resources requesting a written overview of the Department's Forest Practice Application review process and specific changes to the Forest Practice Application requiring among other things, additional disclosure of unstable slopes in the vicinity of the proposed operations. Both of these recommendations have been implemented and provided to TFW Policy for their review.

There are at least two outstanding concerns expressed by some TFW Policy participants related to the delineation of Ground Water Recharge Areas and evaluation of delivery potential, both presumably being addressed by the Forest Practice Board's direction. Additionally, the Forest Practice Board's initiation of rule making may also bolster TFW Policy participants' confidence in the process. Before TFW Policy can fully assess the

process and make any recommendations, we will need to be able to review both the Board Manual revisions and the specific rule language being proposed.

TFW Policy is assessing if there are any gaps in information used by Forest Practice Application reviewers, landowners, and qualified experts to identify the location of Glacial Deep Seated Landslides. This work is being conducted primarily by a technical subcommittee of TFW Policy who has developed a list of information sources and is in the process of identifying the range of coverage and the resolution of these sources. We anticipate the technical group prioritizing any recommendations for additional information sources, expanded scope, access and/or resolution of existing information sources. The initial list of information sources have been shared with the Department for inclusion in their Board Manual process.

The technical subcommittee of TFW Policy is helping to identify mitigation measures associated with operations on groundwater recharge areas and/or the associated glacial deep seated landslides. Under current rule, landowners must either avoid operations on ground water recharge areas and the associated deep seated landslide or require an environmental checklist in compliance with State Environmental Policy Act (SEPA) and SEPA guidelines (WAC 222-16-050(1)). If the operations do not avoid ground water recharge areas and/or the associated deep seated landslide, specific mitigation measures or conditions must be designed to avoid accelerating rates and magnitudes of mass wasting that could deliver sediment or debris to a public resource or could deliver sediment or debris in a manner that would threaten public safety (WAC 222-10-030(4)).

To review these mitigations, the Department has provided a sample of Forest Practice Applications spanning the last three years that have required specific mitigation measures by qualified experts. Of the 64 applications evaluated for potential Glacial Deep Seated, 46 actually had a Glacial Deep Seated Landslides. Of these, 13 Forest Practice Applications had specific mitigation measures to evaluate. The technical subcommittee of TFW Policy will be organizing these mitigations for presentation to the Forest Practice Board, potentially in a matrix form (operations x slide activity level x stratigraphy). In addition to these Forest Practice Applications, landowners and other TFW Policy participants are seeking any additional Forest Practice Applications with specific mitigation measures that were not identified in the initial Department screening.

The Department is also reviewing the remaining approved watershed analysis prescriptions to identify if there are any specific prescriptions associated with groundwater recharge areas and/or the associated glacial deep seated landslides.

The technical subcommittee of TFW Policy has begun a very preliminary discussion on evaluating the existing mass wasting research strategy. They are prioritizing the review on glacial deep seated landslides. This includes reviewing the existing study plans to verify their priority and recommending augmenting those studies or providing additional recommendations for studies. The Board Manual technical committee has provided a list of substantive literature on this topic in addition to any new research since the last time the Board Manual has been reviewed.

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We do not anticipate any substantive work on the Type F issue until after TFW Policy provides their final recommendations to the Forest Practice Board's current motions.

cc: TFW Policy Members
Forest Practices Board Liaisons