April 22, 2014

Notice of Final Determination
Singletary Timber Sale, App. No. 89642
FPA No. 2813860
File No. 14-031102

The Department of Natural Resources issued a [ ] Determination of Non-significance (DNS), [X] Mitigated Determination of Non-significance (MDNS), [ ] Modified DNS/MDNS on March 11, 2014 for this threshold determination under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This determination is hereby:

[X] Retained.

[ ] Modified. Modifications to this threshold determination include the following:

[ ] Withdrawn. This threshold determination has been withdrawn due to the following:

[ ] Delayed. A Final Determination has been delayed due to the following:

Summary of Comments and Responses (if applicable):
See attached.

Date: 5.5.14

Jean Fike, Northwest Region Manager

April 22, 2014

Kara Whittaker, PhD
Washington Forest Law Center
615 Second Avenue, Suite 360
Seattle, WA 98104

Dear Ms. Whittaker,

I would like to take this opportunity to respond to your concerns regarding the Singletary Timber Sale as described in your electronic letter of March 25, 2014. Please refer to our responses below. Hopefully this answers all of your questions.

Attachments
(1) WADNR West Side Old Growth Assessment of the Singletary TS

Response to comments received on March 25, 2014 regarding SEPA file No. 14-031102, Singletary Timber Sale No. 89642, FPA 2813860.

WFLC Comment - Given the steep nature and high hazard of the slopes within this sale, it seems a qualified expert geologist should have conducted a field visit. Is this the case?
DNR Response - No potentially unstable landforms, as defined in WAC 222-16-050(1)(d)(i), were identified within the proposal area during the field reviews conducted by a licensed engineering geologist on 12/3/2013 and 12/16/2013. In addition, during a pre-application visit with a Forest Practices Forester on 12/9/2013, no potentially unstable landforms, as defined in WAC 222-16-050(1)(d)(i), were identified.

WFLC Comment - According to DNR's Weighted Old Growth Habitat Index (WOGHI), part of the proposed sale covers a polygon mapped as having high old growth potential. It appears the North Puget planning unit where this sale is located currently has very little old growth forest, and this unit should be considered as a deferral to count towards the HCP target. Has this information been taken into account?
DNR Response - While DNR's WOGHI database does show a portion of the sale being within an area of high old growth potential, field assessment did not result in the discovery of any portion of the proposal area containing Old-growth Forest as defined in the Final Habitat Conservation Plan, September 1997. In an effort to cement the field assessment, a formal West Side Old Growth Assessment was completed by a region biologist on April 7th, 2014. The

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findings of this formal assessment concluded that stands within the proposal area are not old growth, and the attached assessment details those findings. Deferral of the North Puget planning unit for old growth is beyond the scope of this SEPA review and this proposal meets all requirements of the agency's Policy for Sustainable Forest as well as the Habitat Conservation Plan.

WFLC Comment - A part of the proposed sale is also mapped as needing field assessment by a region biologist as potential marbled murrelet nesting habitat. Was this assessment conducted? If not, adverse environmental impacts to murrelets may result.
DNR Response - See SEPA A.13. Murrelet habitat delineation field technicians performed a delineation of the proposal area. A region biologist confirmed the findings of delineation efforts by the technicians and foresters that no suitable marbled murrelet habitat exists within the proposal area meeting definitions as defined in the Ken Berg Memo dated February 23, 2007. A region biologist conducted a field visit of the proposal area on November 7, 2013, and provided a wildlife report summarizing the absence of suitable murrelet habitat. The report was included with the Forest Practices Application for the sale.

Sincerely,

Laurie Bergvall
Assistant Region Manager for State Lands

Cc: Timber Sale File: 30-089642

WADNR WEST SIDE OLD GROWTH ASSESSMENT

1. BATCH COVER SHEET TABLE

Older Forest Batch_Id	Primary Twn-Rge-Sect		Name of Assessor	Exam Date	Number Sample Points Visited	Number Old Growth Polys Created	Number LULC FIUs Visited
OF_batch_id	*Pri_township*	*Pri_sect*	*Assessor_name*	Exam_date	*num_spt_visit*	*num_OGpolys*	*num_lulc_visit*
110166_04072014	T29R09E	33	Egtvedt, Lisa	*04/07/14*	00	00	02

Sale name: Singletary	Access notes: From the City of Gold Bar, travel east approx. 2 miles on US HWY 2. Turn left onto Reiter Rd. & drive ~ 0.8 mi, staying left to continue on May Creek Rd (going straight would continue on Reiter Rd). Drive ~1.5 mi & turn right (north) onto 429th Ave. SE & drive ~0.2 mi to parking area. Multiple trailheads from this spot will take you north into the stand.

2. FRIS SAMPLE POINTS TABLE

Field Visited Sample Points Only

(Note: moderate= 50-59 woghi non-OESF and high= 60+ woghi).

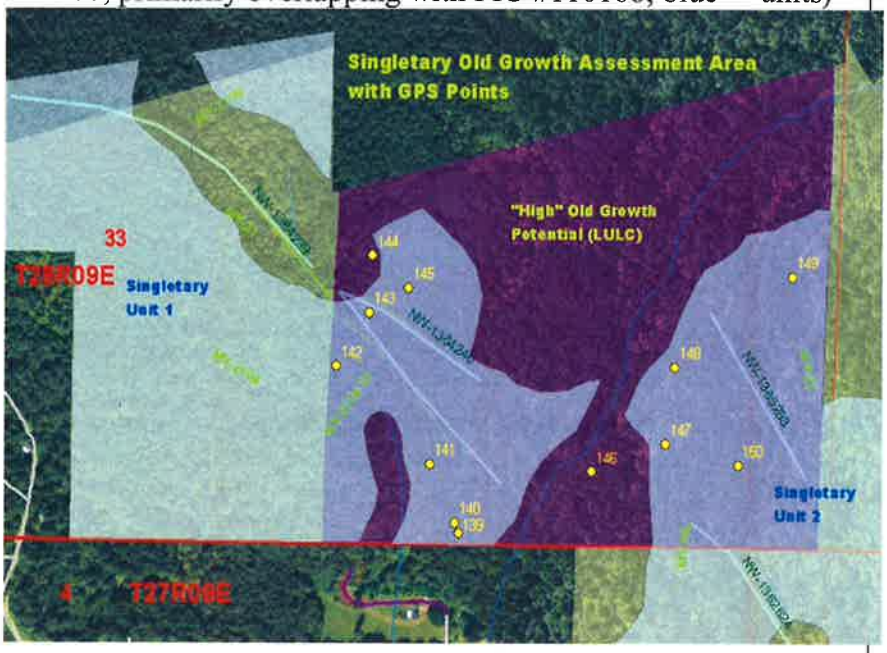
RIU Id	Sample Point	Remnant Trees Present? *"Y" or "N"*	RIU Id	Sample Point	Remnant Trees Present? *"Y" or "N"*	RIU Id	Sample Point	Remnant Trees Present? *"Y" or "N"*
Riu_id	*spt_no*	*remn_pres*	*Riu_id*	*spt_no*	*remn_pres*	*Riu_id*	*spt_no*	*remn_pres*
N/A								

3. OLD GROWTH POLYGONS TABLE

Old Growth Polygon Id	Est. Acres	Number of Photos Taken	Primary FMU Polygon (RMU_Id) *(If present)*	FRIS Data Source *(Enter upper case "X" if applicable, else blank)*	
				"Plots"?	*"LULC"?*
OG_poly_id	*est_acres*	*num_photos*	*rmu_id*	*data_plots*	*data_lulc*
N/A					

WADNR WEST SIDE OLD GROWTH ASSESSMENT

4. PHOTOGRAPHS TABLE(S)

CHOOSE ONE OPTION Per Row BELOW					
Opt. #1: Describes OLD GROWTH POLYGON	*Opt. #2: Describes FRIS SAMPLE POINT*		*Opt. #3: Describes LULC FIU*		
Old Growth Polygon Id	**RIU Id**	**Spt No**	**LULC Riu_Id**	**Photo Temp. File Name**	**Photo Description (above), Photo (below):**
OG_poly_id	*Riu_id*	*spt_no*	*Lulc_riu_id*	*photo_id_temp*	*photo_descript*
					Area Assessed (purple = "Old Growth Potential" polygon #39568, primarily overlapping with FIU #110166; blue = units) 
				Singletary point 146	Stand conditions in the area of GPS point #146. Note moderate diameter diversity but also evident bole zone, and no significantly large trees. Medium-large down wood (decay class 2-3; i.e., not *old* woody debris) is **not** representative of most of the stand. 

				Singletary point 148	Another representation of the stand conditions, from GPS point #148. Note evident bole zone. Intermediate foliage in upper right is associated with open/hardwood patch. 
				Singletary point 145	Another representation of the stand conditions @GPS point #145. 

				Singletary point 141	Example of one of the hardwood patches, from GPS point #141. 
				Singletary point 143	Example of a cut stump with springboard notch. 
				Singletary point 149	Example of one of the larger concentrations of down woody debris, from GPS #149. **Not** representative of most of the stand. 

				Singletary point 144	Representation of diameter diversity (and cut stumps), GPS #144 
				Singletary point 140	One of the "punky" snags, @GPS #140 

5. NARRATIVE TABLE(S)

(Note: Copy blank template below and append to end of report for more than 2 sets of narrative).

Opt. #1: Describes Old Growth Polygon		*Opt. #2: Describes FRIS Sample Point*				*Opt. #3: Describes LULC FIU*	
Old Growth Polygon Id		**RIU Id**		**Spt No**		**Lulc Riu_Id**	
				N/A			

5a. General Comments (*gen_comm_narr*):

The assessment stand is located in the southeastern portion of Unit #1 and northern portion of Unit #2 of the proposed Singletary Timber Sale (see accompanying maps – *singletary_old_growth_origin date* and *Singletary Timber Sales Map*). It is located on DNR-managed lands designated for general management. There are no WOGHI plots (sample points) in the stand based on FRIS, so there are no WOGHI scores nor are there moderate to high WOGHI "hits" in the area. Instead, old LULC information was used, resulting in an "Old Growth Polygon" that indicates potential for old growth. Because there were no specific plot locations to target, I walked throughout the portions of the proposed timber sale units that overlap with this polygon, and recorded GPS points at locations where I took photographs & recorded stand characteristics. Some of these GPS points are referenced in the Photograph Table, above. Photos were also taken at GPS points 139, 142, 147, & 150, but not included in this report. I did not walk through the SE-most corner of the polygon because it is comprised of a predominantly hardwood stand.

WADNR WEST SIDE OLD GROWTH ASSESSMENT

No locations within the assessed areas were found to contain potential old growth remnant trees. Many old cut stumps (some with springboard notches) were also observed throughout this area, indicating that this stand developed following harvest. Furthermore, statements in a State of Washington Archaeological Site Inventory Form for this area address a railroad grade system that was "used to remove (the) old growth prior to 1938 and 1940". See 2nd, 3rd, 4th & 8th photos above for examples of general stand appearance.

The stands in the assessment area are in the West Cascade western hemlock vegetation zone, on site class 3 soils. The site index for most of the stand is DF-115. The origin year in FRIS (for the primary RIU that the assessment area is located within) is 1956, with some peripheral RIUs with origin years of 1935 and 1945, suggesting a general stand age of approximately 60-80 years old. In the assessment area, the predominant tree species is Douglas-fir (DF), with some western hemlock (WH) and western redcedar (RC) in the understory and intermediate layers. There are also significant patches of hardwoods (bigleaf maple and red alder, some black cottonwood), as shown in the 5th photo above. Understory vegetation is generally moderate, comprised mostly of sword fern and huckleberry shrubs, with some Oregon grape and salal. Throughout most of the stand there is a pronounced "bole zone" in the upper canopy, although there is a notable intermediate layer within and adjacent to the hardwood patches.

Since there are no WOGHI indexes to address, I will discuss observations made during the field review regarding the stand characteristics that the indexes are intended to represent. There is a moderate amount of diameter diversity throughout the assessment area, particularly demonstrated in the 8th photo above). There are some large-diameter DF trees, but no exceptionally large ones (top diameters are around 40-44" dbh). Very little large down wood exists in the assessment area, aside from a few small concentrations of medium-large pieces located in the northernmost portion of Unit #2 (see 7th photo above). There is also an area of relatively recent blowdown through the northern half of Unit #2, but most of this is small to medium in size, and it is definitely an anomaly compared to the rest of the assessment area. Very few snags exist within the assessment area, and most of those that were observed are either short and "punky" or relatively recently formed (with broken tops). No legacy trees or snags were observed anywhere in the assessment area.

5b. Large Tree Characteristics (*largetree_narr*):

There are no notably large trees within the assessment area. The larger-diameter trees in the stand are approximately 40-44" dbh. These trees are primarily DF. There are no signs of significantly furrowed bark or epicormic branching among these larger trees. The only photo exhibiting one of the larger trees is the 3rd photo above.

5c Snag Characteristics (*snag_narr*):

Very few snags exist within the assessment area, aside from a couple of short, "punky" snags observed in Unit #1 (see 9th photo above), and a mid-height recently broken-top snag (approximately 18-20: dbh) observed near the stream that runs between the units (represented by GPS point #146 in the 1st photo above. No large, old ("legacy") snags were observed anywhere in the assessment area.

5d. Down Wood Characteristics (*downwood_narr*):

See 7th photo, above, for a representation of the limited medium to large down wood within the stand (indicated by GPS point #149 on the map referenced in 5c). Elsewhere in the assessment area, there is very little down wood of any size, but occasional small to medium pieces (decay class 1-2). See 3rd, 8th, & 9th photos, above, for a representation of down wood characteristics found in most of the assessment area.

5e. Stand Structure History (*stand_struct_narr*):

There are signs of previous harvest within the assessment area, including cut stumps (some with spring board notches; primarily in the RC stumps vs. the well-decayed DF stumps), as well as railroad grades. Using the Key to Stand Development Stages within the Robert Van Pelt book *A Guide to Identifying Mature and Old Forests in Western Washington*, the assessment area meets the characteristics of a stand in the "Maturation I" stage of stand development, which is considered to be a forest originating after Euro-American settlement, and which is also the last stand development stage before the first stage that is considered to have originated before Euro-American settlement (and therefore "old growth"). It should be noted that a considerable amount of time can exist between these two stages.

5f. Conclusion (*concl_narr*):

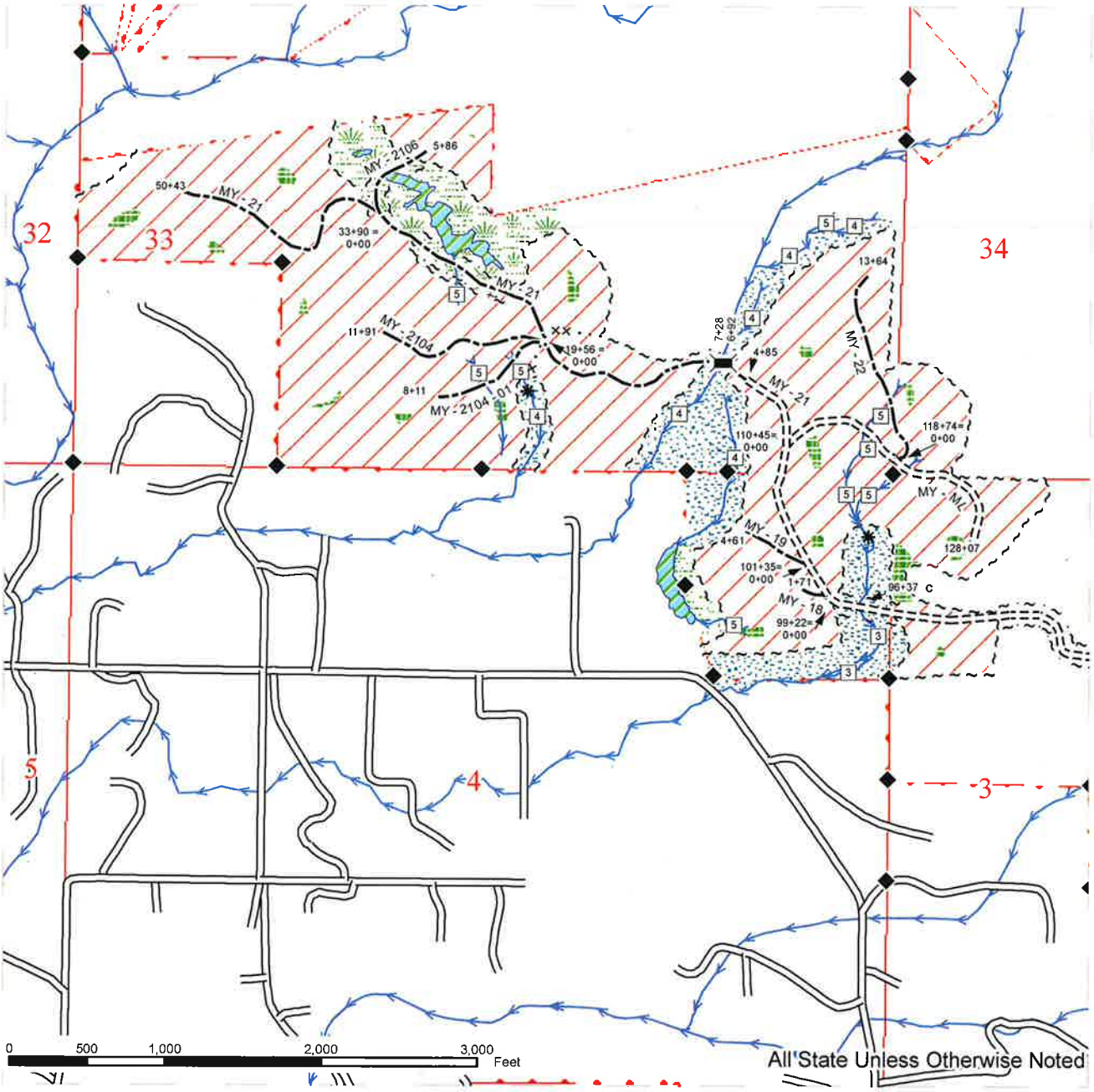
Due to the lack of deep furrowing in the bark, epicormic branching, or other structural characteristics of old growth trees in *any* of the overstory DF trees, combined with the presence of shade-tolerant trees (WH, RC) only in the understory, and an evident bole zone, the assessment area keys out to the Maturation I stand development stage, and NOT to the Maturation 2 stage, which is the first stage of "old growth". In addition, the presence of cut stumps (including some with spring board notches) and railroad grades tied to a history of logging are further evidence that the stands within the assessment area are NOT old growth


SINGLETARY U3
SINGLETARY WMZ MITIG
1934
33
T28R09E
1956
1945
SINGLETARY U1
1949
PUSH PAYTON U2
1968
34
1953
SINGLETON U1
SINGLETARY U2
1935
1947
4
T27R09E
3
BLANDA U1
1952
N
W
S
500
-Draft-

TIMBER SALE MAP

SALE NAME: SINGLETARY
AGREEMENT#: 89642
TOWNSHIP(S): T28R09E, T27R09E
TRUST(S): State Forest Transfer(1)

REGION: Northwest Region
COUNTY(S): SNOHOMISH
ELEVATION RGE: 356-1142



- Ground
- Sale Boundary Tags
- Right of Way Tags
- Streams
- Undefined Construction
- Required Reconstruction
- Optional Construction
- Required Construction
- Wetland Mgt Zone
- Riparian Mgt Zone
- Leave Tree Area
- Stream Type
- Stream Type Break
- Monumented Corners
- Bridge

N

Prepared By: bbai490

Creation Date: 1/3/2014

Modification Date: 1/21/2014

April , 2014
Response to comments received on SEPA, File No. 14-031102, Singletary Timber Sale No. 89642 (FPA 2813860)

Attachments:
(1) Singletary Timber Sale Map and Waterfall Adjacency
(2) Procedure PR 14-004-120 Northern Spotted Owl Management (Westside)

Sierra Club et al. Comment - Despite many of our organizations being intimately involved in the Reiter trails effort, we only learned of the SEPA notice last week.
DNR Response - The SEPA Checklist, Threshold Determination, and Forest Practices Application, among other things, were posted for public review on DNR's website on March 11, 2014. Also, this material was sent to both Rebecca Wolfe of the Sierra Club and Kathy Johnson of the Pilchuck Audubon Society. Public comments were accepted through March 25, 2014. DNR complied with SEPA's notice requirements. This proposal along with potential future ones were also mentioned in the Reiter Foothills Forest Non-Motorized Trail System-Phase 1 SEPA Checklist. This proposal was also discussed and maps were shared with participates of the January 2014 Reiter Focus Group meeting.

Sierra Club et al. Comment - DNR especially needs to address the likelihood of blowdown trees which will occur on the State Park land considering that the sale borders it directly for over 4,000 linear feet.
DNR Response - The proposed areas to be harvested border Wallace Falls State Park for an approximate total length of 3,200 feet (calculated in GIS). While it is possible that blowdown could occur on State Park lands adjacent to the timber sale; the general topography of the area, prevailing wind direction, current sale layout, and WMZ buffers should minimize any potential wind throw of trees on the State Park lands.

Sierra Club et al. Comment - The MDNS also did not consider the effects of logging noise on recreation in Wallace Falls State Park.
DNR Response - SEPA Checklist B.7.b. (2-3). Noise from activities associated with the proposal would only be present during the duration of the proposal. A significant portion of the proposal is not located within the immediate vicinity of the State Park and it is unlikely noise from activities within these areas will disrupt recreation within the State Park. Thus, noise from road building and logging activities within the immediate vicinity of the State Park would be short in duration. Similar harvest activities have occurred in the past adjacent to park boundaries, with no known noticeable effect on recreation within the Park.

Sierra Club et al. Comment - The maps included in the SEPA documents are seriously flawed.

DNR Response - The maps distributed with the SEPA Checklist and made available for comment accurately portray the proposal area and meet the standards required by SEPA.

Sierra Club et al. Comment - DNR should examine the values of the naturally regenerated mature forests here, an increasingly rare habitat at such low elevations.
DNR Response – See SEPA Checklist A.11.b, SEPA Checklist B.4.b.2, B.4.d, and B.5.d. A scientific examination of naturally regenerated "second growth" forests is not required by SEPA. Large portions of the proposal area will be retained in leave tree clumps, riparian management zones (RMZs), and wetland management zones (WMZs).

Sierra Club et al. Comment – Also of great concerns is the ecological connectivity this area provides between the State Park and the Wild Sky Wilderness. At present, the forest provides a direct wildlife corridor between these two protected areas. This will be lost if the Singletary sale goes ahead.
DNR Response – See SEPA Checklist B.5.d.

Sierra Club et al. Comment - The purported SEPA Checklist goal of facilitating acceleration of Northern Spotted Owl habitat in remaining stands through "management" via the new road systems is unproven and counterintuitive.
DNR Response – See SEPA Checklist A.11.b, attachment 2. The DNR's Habitat Conservation Plan (HCP) recognizes that silviculture is a suitable tool to accelerate and enhance development of younger stands into structural forest stages suitable for northern spotted owl habitat.

Sierra Club et al. Comment - Other mitigation measures proposed by the MDNS, such as leaving eight trees per acre as future wildlife trees, are inadequate. These isolated trees are highly likely to blow down.
DNR Response - See SEPA Checklist A.11.b., SEPA Checklist B.4.b.2. Scattering leave trees is an acceptable strategy for Legacy Cohort management under the HCP and the likelihood of blow down depends on many factors. Over 50% of the leave trees in the proposal area were included in clumps to lessen the likelihood of potential blow down.

Sierra Club et al. Comment – The proposed harvest will increase edge effect which will be harmful to marbeled murrelets and other wildlife species.
DNR Response – See SEPA Checklist A.11.b, SEPA Checklist B.4.b.2, B.4.d, and B.5.d. There is no marbeled murrelet habitat in the project area. Also, the nearest occupied murrelet site is just under four miles from the nearest unit. Therefore, there will be no impact on marbeled murrelets from forest edges associated with this project. A region biologist conducted a field visit of the proposal area on November 7, 2013, and provided a wildlife

report summarizing the absence of suitable murrelet habitat. The report was included with the Forest Practices Application for the sale.

Sierra Club et al. Comment - New road construction is proposed in two forested wetlands.
DNR Response - See SEPA Checklist B.1.h., B.3.a.1c., B.3.a.2. The proposed road construction bisects the outer edges of two wetland buffers. No impact on wetland function is anticipated. Acre-for-acre mitigation of wetland buffer has been provided adjacent to the proposal and wetland area.

Sierra Club et al. Comment – It is critical that the culverts be designed to allow hydrologically and biologically effective connectivity above and below the road.
DNR Response – See SEPA Checklist B.1.h., B.3.a.1c., B.3.a.2. The proposed road construction bisects the outer edges of two wetland buffers. No impact on wetland function is anticipated.

Sierra Club et al. Comment - The logging prescription specifies cable and ground-based yarding, with only the leading ends of logs suspended, even where yarding occurs across streams.
DNR Response –Yarding will only occur over three type 5 streams. The Timber Sale Contract for Singletary contains language that requires Contract Administrator approval for all crossings of type 5 streams (those not protected by buffers that are non-fish bearing and are generally seasonal) prior to yarding and that full suspension is needed over these streams. Where full suspension is not possible, cribbing must be in place. Crossings of stream channels with cable are required to be as close to perpendicular as possible.

Sierra Club et al. Comment - The post-sale planting treatment calls for immediately planting a grass seed mixture, not to exceed 0.5% weed seed. Thus, it is guaranteed that this sale would introduce invasive weed species, which would readily spread across the Wallace River to the State Park. The MDNS does nothing to mitigate for this harmful effect, nor for that of the artificial fertilizer that would be applied and subsequently leach into the Wallace River.
DNR Response - The seed mixture and fertilizer rate required in the road plan are the standard DNR requires for initial vegetation establishment and soil stabilization within the grubbing limits of roads in Northwest Region. The amount of inert material and other crop seed within the seed mixture cannot exceed 0.5% by weight. The seed mixture blend and fertilizer rate have been utilized extensively in Northwest Region without a proliferation of invasive species and/or detriments to water quality. The application of fertilizer is applied in order to promote the rapid germination and establishment of the seed mix.

Sierra Club et al. Comment - Although the SEPA Checklist notes that there are steep slopes (up to 90 % grade!) on the site, it does not stipulate adequate protection measures for these areas.

The document acknowledges the potential for mass wasting, but maintains that the stream buffers (30 to 165 feet) are adequate to prevent any sediment reaching the streams.
DNR Response - See SEPA Checklist B.3.a.(7-8),B.1.c, and B.1.d.(1-5). A licensed engineering geologist conducted two field visits on 12/3/2013 and 12/16/2013 to the proposal area. No potentially unstable landforms, as defined in WAC 222-16-050(1)(d)(i), were identified in the proposal area during those field reviews. In addition, during a pre-application visit with a Forest Practices Forester on 12/9/2013, no potentially unstable landforms, as defined in WAC 222-16-050(1)(d)(i), were identified.

Sierra Club et al. Comment - The new non-motorized trails can hardly be expected to attract significant numbers of trail users when those users realize the trails are in a clearcut.
DNR Response - The Reiter Foothills Forest Recreation Plan, April 2010, was predicated on the concept of a working forest. The planning process for the recreation plan included user group participation and the active management of natural resources is integral to the implementation of the plan.

Sierra Club et al. Comment - The area of this sale meets the requirements of the Trust Land Transfer program. It has extremely high recreational and scenic value. Therefore the DNR should evaluate the possibility of this area being placed in the Trust Land Transfer program as either an addition to the NRCA program or Wallace Falls State Park.
DNR Response – Evaluation of a Trust Land Transfer contained in this proposal into a NRCA or incorporation into Wallace Falls State Park is beyond the scope of what is required by SEPA.

Responses in Relation to Potential Impacts on the viewscape of the falls, the Greenway, and Wallace Falls State Park

Sierra Club et al. Comment - We believe that the sale will have a significant impact on the aesthetics of the Stevens Pass Highway Greenway corridor which has been designated both a National and State Scenic Byway.
DNR Response - See SEPA Checklist B.10. The effect on the aesthetics of the US Highway 2 corridor in the vicinity of the timber sale, if any, will be minimal.

Sierra Club et al. Comment - One of the major landmarks along this corridor is Wallace Falls and this clearcut will mar this viewscape for decades. This is not addressed in the SEPA review.
DNR Response - See SEPA Checklist A.7.b SEPA Checklist B.4.b.2, SEPA Checklist B.10.c, and attachment 1. The portion of the proposal closest to the waterfalls in the State Park is over 1,700 horizontal feet from Lower Wallace Falls and over 2,400 horizontal feet from the Middle and Upper Wallace Falls (calculated in GIS). Any impact on the view from the state park will

be minimal. Also, leave trees will not be marked with the traditional blue paint in a portion of the proposal containing recreations trails. The RMZs, WMZs, and leave trees will contribute to native seed sources, and planting of seedlings soon after harvest will insure that any minimal aesthetic impact will last for a short period of time.

Sierra Club et al. Comment - The language in the SEPA documents describing the "matrix of forests in the vicinity" ignores the specifics of this iconic landmark and the state park and this language demonstrates a lack of appreciation of the aesthetic values which should be required in a SEPA process.
DNR Response - See SEPA Checklist B.10.b.3. The Haystack Mountain Area is but one example of the matrix of multi-cohort forestland present within the western portion of the Highway 2 corridor. Other uses throughout the corridor include a mix of agricultural lands, commercial sand, gravel, and rock processing, utility transmission corridors, rail line, and actively managed privately owned forestlands.

Responses in Relation to Potential Impacts on Recreation

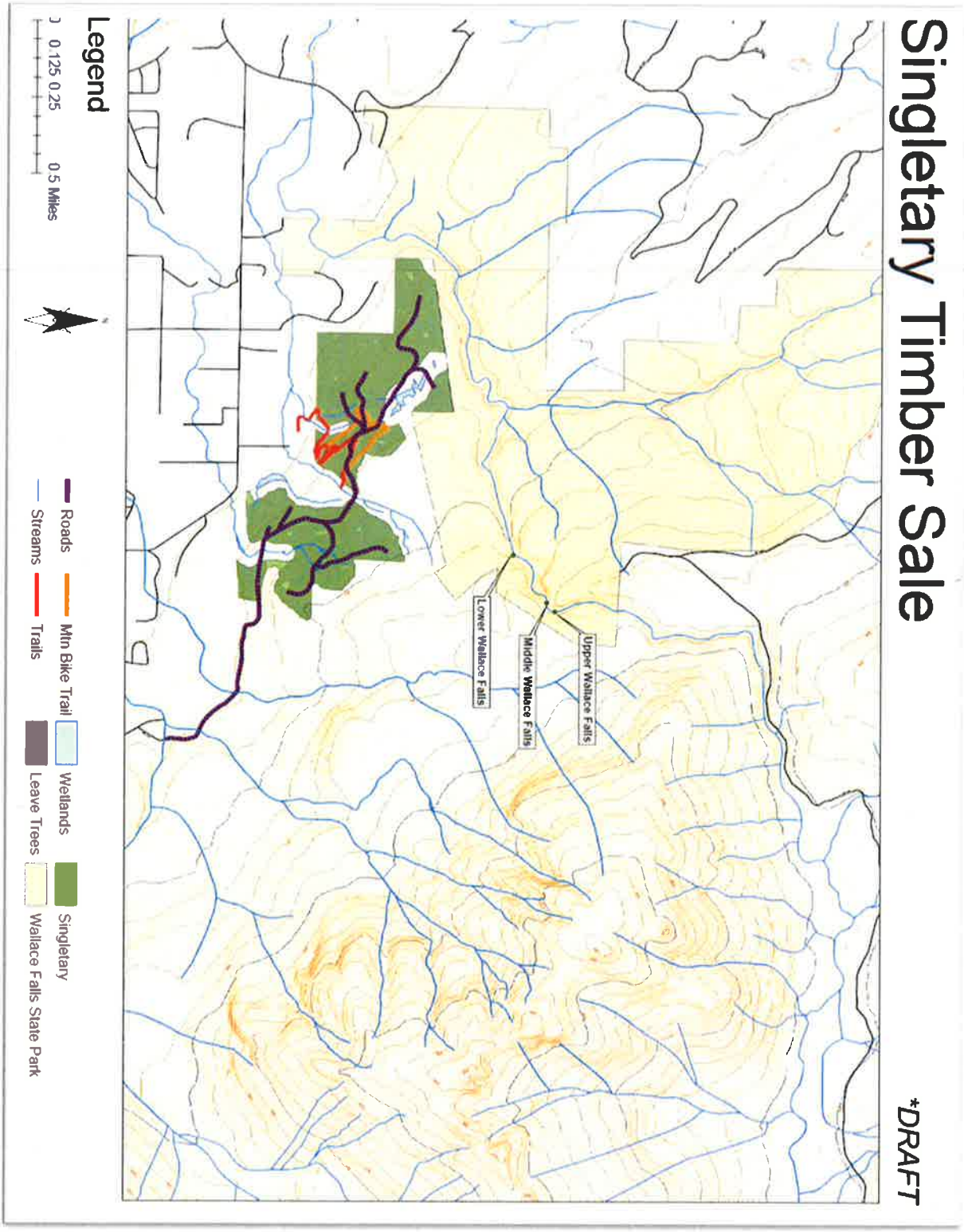
Sierra Club et al. Comment - The SEPA process must consider how this timber sale will affect efforts to build a recreation-based economy in the Skykomish valley.
DNR Response - Economic impacts are not within the scope of SEPA review.

Sierra Club et al. Comment - The mitigation strategy of not marking leave trees with paint will not mitigate the adverse scenic impacts of placing a clearcut in the middle of a trail. A better mitigation strategy which should be considered would include moving the trail or redesigning the sale so that it does not impact the aesthetics of this area and the recreational experience.
DNR Response - See SEPA Checklist A.11.b, SEPA Checklist B.10.c. The aesthetic impact of the harvest, if any, will be minimal. Leave trees, some of which are unmarked, will be left in the harvest areas and RMZs and WMZs will provide visual buffers. Additionally, seedlings that will be planted soon after harvest will insure that any minimal impact will not last long. The Reiter Foothills Forest Recreation Plan, April 2010 emphasized, and was developed with the understanding, that the proposed recreational uses will occur within a working forest. The coexistence of both natural resources and recreation management in the Reiter Foothills Forest will provide an excellent opportunity to demonstrate that multiple use forest management benefits both the beneficiaries and all users. The Capital State Forest serves as an excellent example of the coexistence of a working forest and recreation for more than 30 years. Future timber harvests were mentioned in several sections of the SEPA Checklist for the Reiter Foothills Forest Non-Motorized Trail System, Phase 1 Development.

Sierra Club et al. Comment - The impact on the aesthetics of the trailhead recently purchased by Snohomish County also needs to be addressed

DNR Response - See SEPA Checklist B.10.c. The trailhead is neither currently constructed nor open to the public. A portion of forested county property divides the proposal area from the proposed future trailhead, and the impact, if any, will be minimal.

Attachment 1.



Northern Spotted Owl Management (Westside)

Cancels: --Westside applications of PR 14-004-120 Management Activities within Spotted Owl Nest Patches, Circles, Designated Nesting, Roosting, and Foraging and Dispersal Management Areas, September 2004
--HCP Implementation Memorandum #1, dated Jan 20, 1998
--Standard Practices Memorandum SPM 03-06 and SPM 03-07

Date: October 2007

Application: All forested state trust HCP lands (westside)

DISCUSSION

DNR's HCP for state trust lands is a multi-species conservation strategy that covers the range of the northern spotted owl (NSO) within the state of Washington and augments the federal Northwest Forest Plan. The intent of the HCP NSO strategy is to create habitat that significantly contributes to the species' demography, distribution, and habitat contiguity. DNR's role in this strategy is to provide nesting, roosting, and foraging (NRF) as well as dispersal habitat in key areas. Active silviculture on forested state trust lands is viewed as the tool to accelerate and enhance development of younger forest stands into structural forest stages suitable as NSO habitat. The Sustainable Harvest Calculation (SHC) of 2004 and the subsequent Settlement Agreement of 2006 *(WEC v Sutherland)* further advanced certain provisions to HCP commitments.

Thus, the purpose of this procedure is to provide comprehensive direction to regions regarding enhancing and sustaining northern spotted owl habitat.

Accordingly, this procedure's scope is to integrate provisions of the Settlement Agreement (PR 14-001-030) with the HCP and other governing documents as they apply to silvicultural prescriptions and related activities. Forest land planning is envisioned to further refine the process.

Action

The direction in this procedure has three parts: (1) a general description of spotted owl landscapes and key terms, (2) restrictions pertaining to NSO "known nest sites," and (3) a brief narrative on NSO management areas and attached corresponding decision trees. The narrative and decision trees together govern management activities in HCP-designated Nesting, Roosting, and Foraging (NRF) and Dispersal Management Areas, the Olympic Experimental State Forest, and Owl Areas.

1. General

a. "NSO Management Areas" are designated in the HCP. They consist solely of DNR-managed lands to be managed for the type of habitat designated.

b. "Spotted Owl Management Unit" (SOMU) is a spatial unit inside a non-OESF NSO management area used to track the required amount of suitable spotted owl habitat. SOMUs replaced the previously used Watershed Analysis Units (WAUs) in order to avoid periodic changes to current WAU boundaries by responsible officials (GIS data source: SHARED_LM.SOMU—current SOMU habitat levels can be ascertained by querying this layer). SOMUs essentially retain the 1997 WAU boundaries with minor changes approved by the federal services. Landscapes in the OESF are pre-designated per the HCP and are included within the SOMU layer.

c. An area classified as "unknown" with an age from stand origin of more than 25 years (GIS data source: SHARED_LM.NSO_HABITAT_MGMT) in NRF and dispersal management areas, the OESF, or Owl Areas, must have an inventory survey according to DNR standard inventory procedures to determine the actual classification of the habitat type prior to any timber harvest. Consult the Data Stewardship section of the Land Management division for assistance and refer to this layer for current habitat delineations.

d. "Known nest site" is a northern spotted owl site center recorded on Washington Department of Fish and Wildlife's database with a status of 1 or 2. "Known nest sites" will be maintained in the GIS database so that they may be referenced for this purpose.

e. "Owl circle" is a term no longer in use that refers to a circle of a specified radius around a known NSO site center, status 1 through 4.

f. "Nest patch" refers to a designated 500-acres within a NRF Management Area that consists of a 300-acre core (GIS data source: ROPA_OWLNEST_AREA) and a 200-acre buffer (GIS data source: ROPA_OWLNEST_BUFF_AREA).

g. "Owl Areas" refers to specific NSO site centers and forested stands within former owl circles (listed below) that are located **outside** of NRF/Dispersal Management Areas in the Westside planning units and the OESF. These owl circles are (a) designated in HCP Implementation Memorandum No. 1 (January 12, 1998), (b) within Washington Department of Fish and Wildlife (WDFW) Status 1-R (reproductive) owl circles, and (c) the four owl circles identified in Standard Practice Memorandum SPM 03-07 (*Management of Northern Spotted Owl Circles And The Identification Of Northern Spotted Owl Habitat In Southwest Washington*). Hard copies of these documents are available upon request from the Ecosystems Services Section.

2. ***Restrictions Pertaining to "Known Nest Sites"***

a. "Known nest sites" **within** NRF and Dispersal Management Areas retain the restriction that timber harvest and road construction activities are prohibited from March 1 through August 31 of each year within .7 miles of "known nest sites." All other provisions originally associated with "owl circles" inside NRF and Dispersal Management Areas are rescinded. **See attached decision tree regarding management activities in NRF and Dispersal Management Areas.**

b. "Known nest sites" **outside** NRF and Dispersal Management Areas retain the restriction that timber harvest and road construction activities are prohibited within the best 70 acres (that may or may not be habitat) around the "known nest site" from March 1 through August 31 of each year. All other provisions originally associated with "owl circles" are rescinded. **See attached decision trees regarding management activities in Owl Areas and the OESF.**

c. The above restrictions are primarily noise disturbance deterrents. Thus, any other activities that may likely disturb a nesting spotted owl pair should be considered within this restriction (e.g. rock crushing, gravel pit development, etc.). Haul traffic and routine road

maintenance activities are not included in this activity restriction.

3. ***SOMUs Designated for Nesting, Roosting, and Foraging (NRF) or Dispersal Management***

   a. Northern spotted owl nest patches are generally deferred from silvicultural activities and land trade—**see attached NRF decision tree for further specifics**.

   b. For SOMUs that have not attained the landscape-level SOMU objective (having at least 50 percent of its designated NRF or dispersal managed area meeting or exceeding stand-level habitat objective—dispersal or sub-mature), regions shall identify:

      i. Stands that meet or exceed the stand/FMU rotational habitat objective (i.e., dispersal or sub-mature for dispersal or NRF SOMUs, respectively)

      ii. "Next best" stands i.e., those stands to be managed into the FMU rotational objective habitat so that the SOMU objective may be met as soon as possible.

   c. The sum of acres currently in habitat and "next best" ("target amount" per the HCP i.e., SOMU landscape objective) must equal at least 50 percent of the NRF or dispersal designated lands within the SOMU area. "Next best" stands will be identified according to the following priorities:

      i. Non-habitat forest stands within nest patch core and buffer areas in NRF SOMUs.

      ii. Forest stands that may include high quality nesting habitat, or other older forest conditions, but were not identified through the FRIS habitat querying process or stands that may be lumped within a larger FIU designated as non-habitat.

      iii. Forest stands that are non-habitat, but are considered closest to meeting the specific habitat criteria. Further guidance on this identification can be acquired from the Ecosystems Services Section.

   d. After the identification of stands contributing to the target amount of habitat per SOMU, the full range of silvicultural activities may be applied in the remaining stands as long as:

i. The rotational objective for all stands in a SOMU will be to attain suitable spotted owl habitat identified in the landscape objective.

ii. The proposed regeneration harvest schedule (2004-2014) for the SOMU has been reviewed and approved by Land Management Division.

These steps will enable future foresters a maximum of flexibility in timber harvest unit selection.

e. For additional management provisions, see the attached decision trees for designated NRF and Dispersal SOMUs.

For background information regarding management activities relating to northern spotted owls, see final HCP, September 1997 pages IV.1-38 *Minimization and Mitigation for the Northern Spotted Owl in the Five West-side and all East-side Planning Units* and procedure PR 14-001-030, *Settlement Agreement*. Additional consultation on this procedure may be acquired from the Ecosystems Services Section on habitat issues, on silvicultural approaches and techniques from the Silviculture and Regeneration Section, and on forest land planning issues from the Data Stewardship Section.

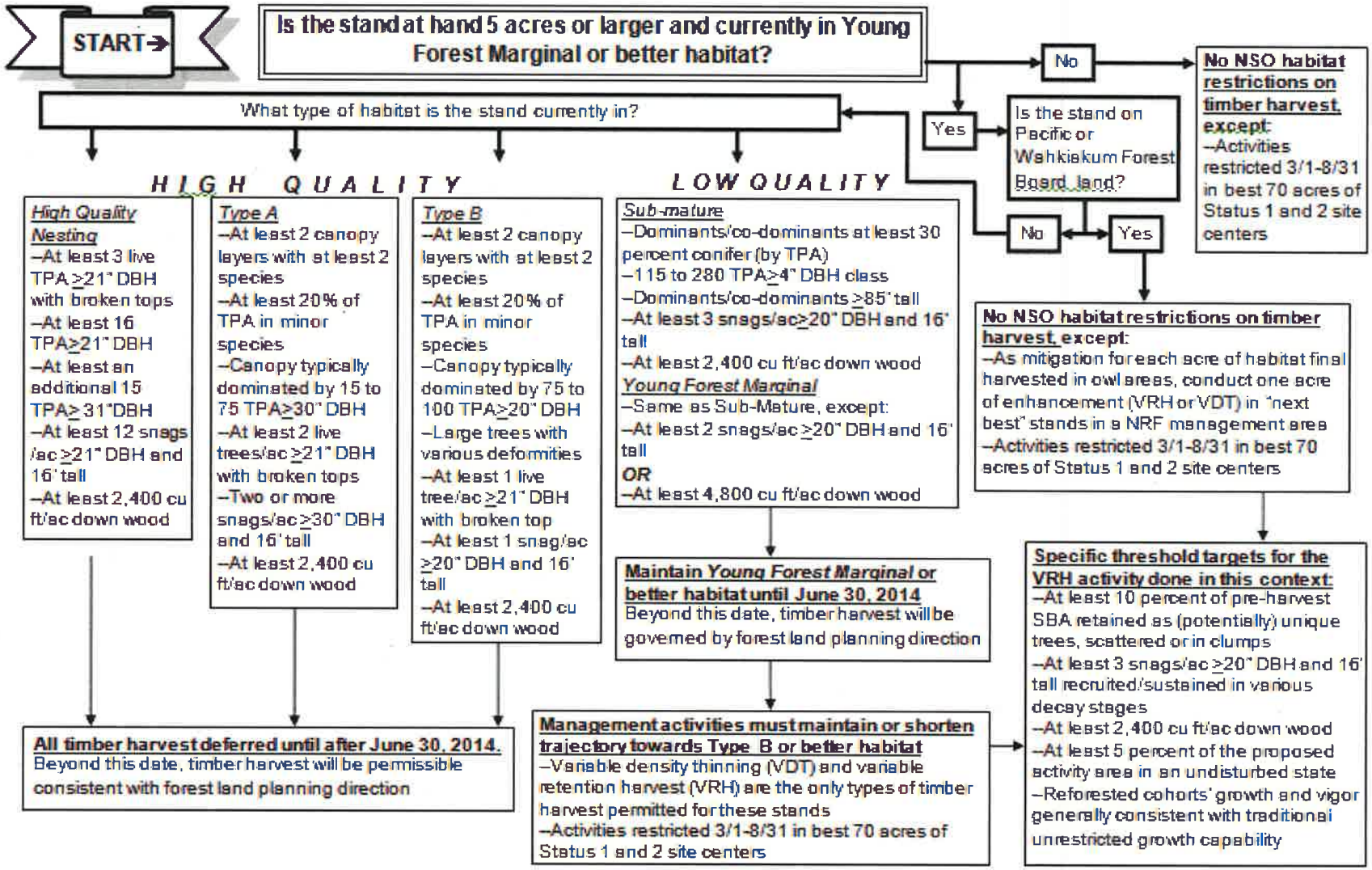
Approved by: signed: Gretchen Nicholas **Date:** Oct 1, 2007
Gretchen Nicholas
Manager, Land Management Division

SEE ALSO

- PR 14-001-030 The Settlement Agreement
- Management Area decision trees (attached):
  - Owl Areas
  - NRF
  - Dispersal
  - OESF

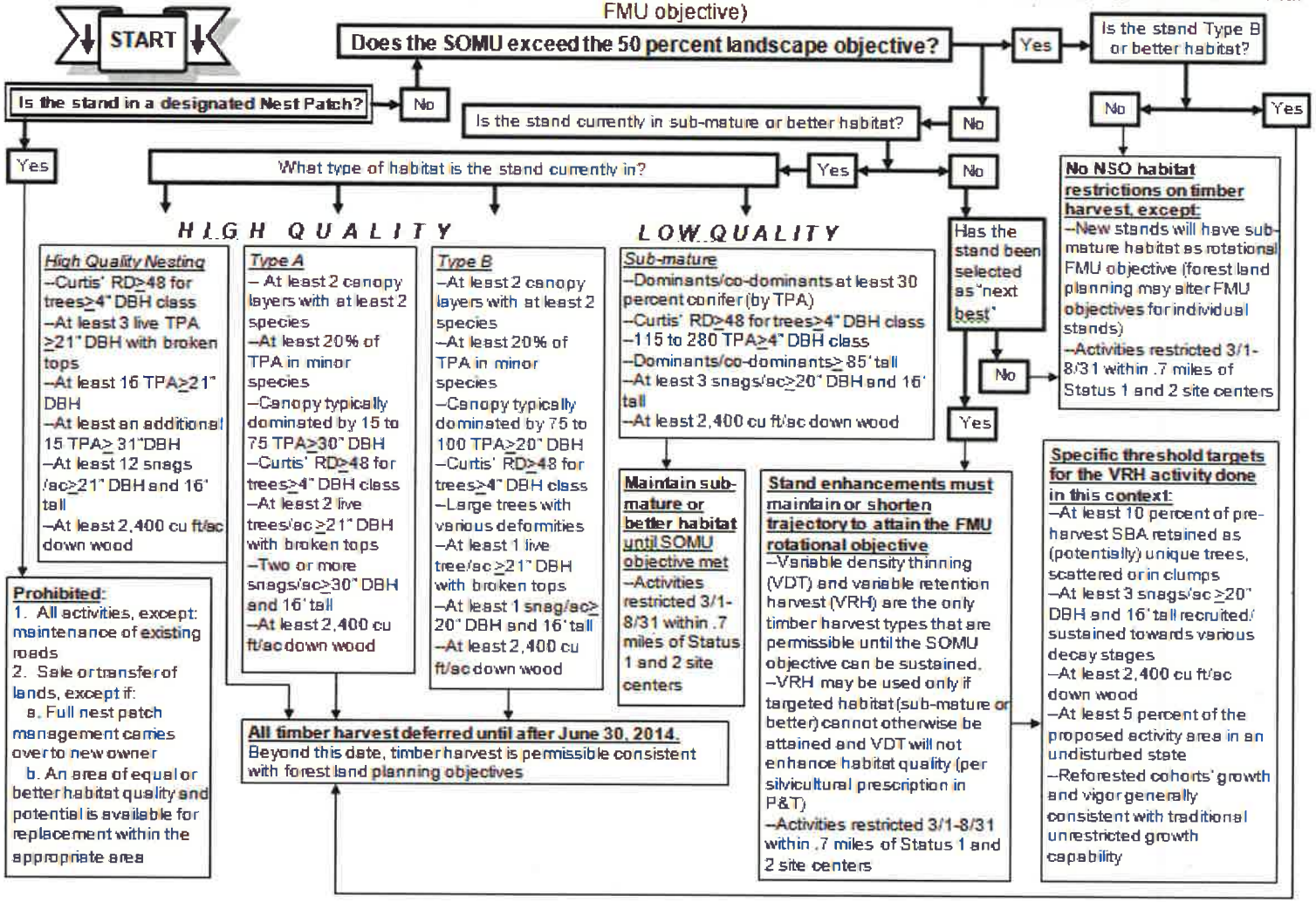
OWL AREAS (as Defined in the Settlement Agreement): HCP + Settlement Agreement

Owl Area Landscape Objective: At least maintain existing habitat quality until June 30, 2014 for areas of 5 or more contiguous acres of Young Forest Marginal or better habitat



SOMUs Associated With NRF Management Areas: HCP + Settlement Agreement

SOMU Landscape Objective: Protect nest patches, and attain and sustain at least 50% of NRF lands in the SOMU in sub-mature or better habitat (prior to attaining the SOMU objective, the habitat that is attainable soonest—sub-mature or better—will be the rotational FMU objective)



SOMUs Associated With Dispersal Management Areas: HCP + Settlement Agreement + Concurrence Letters

SOMU Landscape Objective: Attain, and then sustain, at least 50% of dispersal lands within the SOMU in dispersal or better habitat (prior to attaining the SOMU objective, the habitat that is attainable soonest—dispersal or better—will be rotational FMU objective)