July 15, 2011

MEMORANDUM

To: Forest Practices Board

From: Timber/Fish/Wildlife Cultural Resources Committee Co-Chairs

Jeffrey Thomas, Puyallup Tribe of Indians

Pete Heide, Washington Forest Protection Association

SUBJECT: FY 2011 Annual Report of Timber/Fish/Wildlife Cultural Resources Roundtable

The Timber/Fish/Wildlife Cultural Resources Roundtable (Roundtable) is pleased to submit the FY2011 annual report to the Forest Practices Board.

We look forward to your August 9, 2011 meeting and answering any questions you may have. In the meantime, please do not hesitate to contact us:

jeffrey.thomas@puyalluptribe.com and (253) 405-7478/cell

pheide@wfpa.org and (360) 352-1500

Enc. – Annual Report to the Forest Practices Board from the T/F/W Cultural Resources Roundtable (July 15, 2011)

Annual Report to the Forest Practices Board

from the

Timber/Fish/Wildlife Cultural Resources Roundtable

August 09, 2011

The Timber/Fish/Wildlife (TFW) Cultural Resources Roundtable is pleased to submit the following annual report to the Forest Practices Board pursuant to WAC-222-08-160.

T/F/W Cultural Resources Roundtable Members

Co-chairs:

Jeffrey Thomas, Puyallup Tribe of Indians
Peter Heide, Washington Forest Protection Association

Active Members:

Sherri Felix, Department of Natural Resources (DNR) Forest Practices Division
Lee Stilson, DNR State Lands Archaeologist
Allyson Brooks, Department of Archaeology and Historic Preservation (DAHP)
Stephenie Kramer, DAHP
Gretchen Kaehler, DAHP
David Powell, Yakama Nation
Justine James, Quinault Nation
Dennis Lewarch, Suquamish Tribe
dAVe Burlingame, Cowlitz Tribe
Robert Bass, Hancock Forest Management
Tammie Perreault, WFFA
Norma Green, WFFA

FY2011 Work Activities

The main topics worked upon by the T/F/W Cultural Resources Roundtable during FY2011 were the Timber/Fish/Wildlife Cultural Resources Roundtable Charter, WAC 222-20-120 (Notice of forest practices to affected Indian tribes) rule language proposals and general guidance documents for protecting and managing cultural resources during forest management activities.

The charter is important for ensuring the Roundtable has an overall identity as well as a meaningful structure to be used for undertaking work. The WAC 222-20-120 rule language proposals are important for clarifying expectations and procedures that apply while fulfilling the requirements of the WAC. The

cultural resources protection and management guidance documents are important for ensuring that useful tips, tools and/or educational materials that are specific to state and private forestland management situations are available to use when needed.

T/F/W Cultural Resources Roundtable Charter – The work to finalize the charter that had begun in FY2010 was completed during FY2011. The Roundtable collaborated with WDNR forest practices division officials to produce the Charter that the Board accepted during the May 2011 quarterly meeting. The T/F/W Cultural Resources Roundtable charter describes that the purpose of the Roundtable is to foster cooperative protection and management of cultural resources as envisioned in the Cultural Resources Protection and Management Plan, and also that the Roundtable serves the needs of the Board by providing insight on cultural issues affecting forest practices, providing consensus rule making recommendations for the Board's consideration, and annually reporting on behalf of the department on how implementation of the Cultural Resources Protection and Management Plan is working. The sections of the charter are entitled Introduction, Purpose, Membership, Responsibilities and Tasks, Deliverables, and Group Process and Reporting.

WAC 222-20-120 (Notice of forest practices to affected Indian tribes) Rule Language Proposals – The work to finalize a WAC 222-20-120 rule revision recommendation that had begun in FY 2009 was completed during FY2011. The Roundtable considered different drafts of possible rule language to finally produce the version that the Board accepted during their May 2011 quarterly meeting for distribution to WDFW, the counties and Tribes for a 30-day review and comment opportunity. The comments received during this 30-day review were then considered by the Roundtable for needed feedback or response at the Roundtable June 2011 regular meeting. The general objectives for WAC 222-20-120 rule change proposal work during FY2011 were to clarify ambiguous language and resolve issues with the rule's landowner-tribe meeting requirement and tribal sovereignty. Specific objectives were to address the issues of tribal sovereignty, tribal non-response, and the need for provisions that allowed a landowner to demonstrate a good faith effort was made to establish contact with a tribe or tribes.

Forest Practices Cultural Resources Protection & Management Guidance Documents – FY2011 work included continued efforts to specify and produce guidance documents that can be utilized for implementing the provisions of the TFW/FFR Cultural Resources Protection and Management Plan, (CRPMP) or the state forest practices statutes and rules (or other pertinent cultural resource protection measures, etc.). The Roundtable decided the guidance documents would be prepared for the purpose of being included in either the Forest Practices Board Manual, or be posted upon the WDNR Forest Practices Division or the Forest Practices Board website(s). Guidance documents to address specific topics were either planned or drafted during FY2011 – the topics included general info about cultural resources and an FPA, a cultural resources rules and statutes summary, cultural resources examples or

definitions, common cultural/archaeological site types in the forest (with photos) , SEPA Question 13 completion tips, class IV(s) sites and objects, tribal cultural resources contact listings (specifically for forest practices issues), WAC 222-20-120 Tribal-landowner meeting expectations, successful site protection plan completion tips, human remains discovery protocols, WAC 222-20-120 meeting documentation methods, and WAC 222-20-120 implementation sample letters.

Forest Practices Board Quarterly and Annual Reports – The Roundtable prepared and provided quarterly reports to the Board (in the form of the Roundtables monthly action items list), and prepared and provided the FY2011 annual report as expected. The Roundtable co-chairs presented quarterly report briefings at each quarterly meeting of the Board, as necessary.

Anticipated Activities for FY 2012

During FY 2012 the Roundtable expects to complete website or Board Manual guidance for implementing the CRPMP, forest practices rules and forestry related state statutes regarding cultural resources. Also likely to be completed in FY 2012 is an effort to improve early identification of potential cultural sites during forest practices activity planning. The Roundtable's Action Item list includes identification and recommendations for improved availability of historic mapping tools that are expected to help avoid unintended disturbance of archaeological or historic sites during forestry operations.

The Roundtable hopes to scope and create an action item for a project that will critique the guidelines which are offered to landowners pertaining to the cultural resource assessment work that may need to be referenced when submitting a Forest Practices Application and where necessary, a SEPA environmental checklist. Further work may also be needed to support WDNR Regional Office FPA processing procedures to better promote the identification of cultural resource features that might be impacted by forest practice.

Education and training of field personnel remains as a key element in early recognition planning and protection of cultural resources. Cooperation among landowners, land managers, tribes and state agencies is critical to the success of the CRPMP and overall cultural resource protection. The Roundtable will consider what actions it can take to support the broad recognition among resource professionals of cultural resource values, field recognition of sites, and appropriate management actions where cultural resources are encountered.

Thanks to the good will of each of the active members, and where applicable, their employers, the Roundtable is able to make progress. However, funding for staff support remains a critical limitation to the rate of progress of Roundtable's work.

Thank you for your interest and attention.