



DEPARTMENT OF
NATURAL RESOURCES

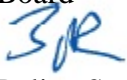
FOREST PRACTICES DIVISION
1111 WASHINGTON ST SE
OLYMPIA, WA 98504

360.902.1400
WWW.DNR.WA.GOV

MEMORANDUM

April 17, 2017

TO: Forest Practices Board

FROM: Marc Ratcliff 
Forest Practices Policy Section

SUBJECT: Board Manual Development Update

The following provides information on anticipated development of the Forest Practices Board Manual.

(New) Section 23, Guidelines for Field Protocol to Locate Mapped Division Between Stream Types and Perennial Stream Identification. The process for delineating fish habitat using a fish habitat assessment method will reside in Section 23. DNR will develop this section concurrently with the language for the new water typing rule after the Board accepts the recommendations brought forward by Policy. The current guidance within Board Manual Section 13, *Guidelines for Determining Fish Use for the Purposes of Typing Waters*, will be incorporated into Section 23.

Section 12, *Guidelines for Application of Forest Chemicals*. In acknowledgement of the forest chemical technical group's efforts presented to the Board in February, DNR staff recommends amending this section of the manual. Completion of Section 12 is anticipated in 2018 after the development of Board Manual Section 23.

Several Board Manual sections contain obsolete web addresses, inaccurate nomenclature and other administrative items that need updating. The changes are non-substantial and will not alter technical guidance. Updated sections will be posted on DNR's website when complete.

Please feel free to contact me with any questions at 360.902.1414, or marc.ratcliff@dnr.wa.gov.

MR



**DEPARTMENT OF
NATURAL RESOURCES**

FOREST PRACTICES DIVISION
1111 WASHINGTON ST SE
MAIL STOP 47012
OLYMPIA, WA 98504-7012

360-902-1400
FAX 360-902-1428
TRS 711
FPD@DNR.WA.GOV
WWW.DNR.WA.GOV

MEMORANDUM

TO: Forest Practices Board

FROM: Garren Andrews, Compliance Monitoring Program Manager

SUBJECT: Current status of the Compliance Monitoring Program

2017 Compliance Monitoring standard sample field data collection commenced April 2017.

The Independent Study Peer Review is ongoing for the 2014-2015 biennial report and the program's analytical methods. The ISPR process will be completed no later than June 30th 2017.

If you have any questions please contact me at (360) 902-1366 or garren.andrews@dnr.wa.gov

GA/



DEPARTMENT OF
NATURAL RESOURCES

FOREST PRACTICES DIVISION
1111 WASHINGTON ST SE
OLYMPIA, WA 98504

360.902.1400
WWW.DNR.WA.GOV

MEMORANDUM

April 26, 2017

TO: Forest Practices Board

FROM: Marc Engel 
Forest Practices Assistant Division Manager, Policy and Services

SUBJECT: Rule Making Activity

Permanent Water Typing

In anticipation of the receiving the recommendations for the new water typing system, the Board approved filing a CR-101 *Preproposal Statement of Inquiry* at their November 2016 meeting. The CR-101 was filed on December 6, 2016.

The Board will receive the TFW Policy Committee recommendations at the May 2017 meeting. DNR staff will initiate draft rule preparation based on the Boards decisions and it is expected the Board will approve the initiation of rulemaking at the November 2017 meeting.

Electronic Signature and Payment

A CR-101 was filed on March 21, 2017 to amend the application and notification rule to add the ability for applicants to use electronic means when signing and paying for Forest Practices Applications. Accepting electronic transactions will provide options for landowners wanting to utilize this technology and align with DNR's future application processes.

Staff is drafting rule language and will request your approval to initiate rule making at the Boards August 2017 meeting.

I look forward to answering any questions you may have on May 10.

ME



**DEPARTMENT OF
NATURAL RESOURCES**


Forest Practices Division
1111 Washington St SE
Olympia, WA 98504

360-902-1400
FPD@DNR.WA.GOV
WWW.DNR.WA.GOV

MEMORANDUM

April 24, 2017

TO: Forest Practices Board

FROM: Tami Miketa, Manager, Forest Practices Small Forest Landowner Office 

SUBJECT: Small Forest Landowner Office and Advisory Committee

Small Forest Landowner Advisory Committee (SFLOAC)

Since my last staff report, the Small Forest Landowner Office Advisory Committee met on January 25th and March 22nd, 2017. These meetings focused on the following topics:

1. A review of the final draft of the SFLOAC SFL ID Team Guidelines.
2. Update of the SFLOAC Member Handbook.
3. Update on NRCS RCPP Grant to the Forest Stewardship Program.
4. Update on marbled murrelet and Canada lynx recommendations to the Forest Practices Board.
5. Update on WDFW yellow-billed cuckoo status review.
6. Discussion on the 2017 Protocol Stream Survey Process.
7. Update on the SFLO Alternate Plan website.
8. SFLOAC Action Plan update.

Forestry Riparian Easement Program (FREP)

For the FY15-17 biennium, the Forestry Riparian Easement Program received \$3.5 million from the State Capital Budget. There are now 119 forestry riparian easement applications on the list waiting for compensation, with 85 of them already cruised or under contract to be complete by June 2017 at a total cost of \$220,000 for 12 timber cruise contracts and one land survey contract. The remaining applications have most of the field work accomplished for future timber cruise contracts scheduled for the start of the next biennium, if funding allows. The funding in the 2015-2017 biennium has purchased 32 easements totaling \$1,860,000 so far with 5 more easements currently in different stages of closing and are planned to be purchased by the end of this biennium.

Rivers and Habitat Open Space Program (R&HOSP)

The State Capital budget appropriated the R&HOSP \$1 million for the FY15-17 biennium. Generally, when the funding level exceeds \$1 million, DNR expects to allocate approximately 70 percent of the funds for critical habitat and 30 percent for channel migration zones (CMZs). If the demand is limited in either funding category, DNR may shift moneys between the funding categories. Applications will be funded in order of ranked priority until all funds are expended. All remaining eligible applications will be offered the opportunity to be considered for future funding. We anticipate having enough funding to purchase one R&HOSP Conservation Easement in a CMZ and one in Critical Habitat for state listed threatened and endangered species.

DNR currently has 14 eligible applications for the R&HOSP: Five for CMZ and eight for critical habitat for state listed threatened or endangered species. The CMZ and Critical Habitat applications have been prioritized with the priority list posted on the R&HOSP website. Prioritization is based on, but not limited to, the following elements:

- The habitat quality of the property
- Risk of future habitat loss
- Documented occupancy
- Species' landscape continuity
- Species diversity

The acquisition process for the funded application has begun. The timber cruise for the first priority CMZ application has been completed and a cruise contract is out for the first priority Critical Habitat application. It is anticipated the acquisition process will be completed by June 2017 for both the CMZ and Critical Habitat applications.

Family Forest Fish Passage Program (FFFPP)

The State Capital budget appropriated \$5 million to the Family Forest Fish Passage Program for the FY15-17 biennium. In the 2016 field season, the FFFPP corrected 16 fish passage barriers opening up approximately 43 miles of habitat for fish. In the 2017 field season, assuming a State Capital budget appropriated \$5 million, it is estimated the FFFPP will be correcting 18 fish passage barriers opening up approximately 61 miles of habitat for fish. The Program is on track to spend all \$5 million allotted to correct the above listed fish passage barriers during the FY15-17 biennium.

Long Term Applications (LTA's)

There are now a total of 237 approved long term applications; which is an increase of 10 approved applications since the end of the last reporting period (01/25/2017).

| LTA Applications | LTA Phase 1 | LTA Phase 2 | TOTAL |
|-------------------------|--------------------|--------------------|--------------|
| Under Review | 8 | 2 | 10 |
| Approved | 2 | 237 | 239 |
| TOTAL | 10 | 239 | 249 |

Upcoming Landowner Events

The WSU Forestry Extension program, in coordination with DNR, provides education and information about forest management to private forest landowners as well as the general public. They offer classes, workshops, and field days as well as publications, videos, and online resources to help landowners achieve their various land management objectives. Below is a list of upcoming events designed to aid small forest landowners.

Annual Regional Forest Owners Field Days are scheduled for:

Eastern WA – Dayton, WA- June 24, 2017

Idaho/Washington – Athol, WA – July 15, 2017

Western WA – Oakville, WA – August 19, 2017

Forest Stewardship Coached Planning –

WSU's flagship class teaches landowners how to assess their trees, avoid insect and disease problems, attract wildlife, and take practical steps to keep their forest on track to provide enjoyment and even income for years to come. In this class landowners will develop their own Forest Stewardship Plan, which brings state recognition as a Stewardship Forest and eligibility for cost-share assistance, and may also qualify them for significant property tax reductions. For more information on these courses go to <http://forestry.wsu.edu/>

The following are scheduled Forest Stewardship Coached Planning classes:

- Preston – September 12 to November 14, 2017
Class Sessions 6:30-9:30 PM Tuesday evenings
Where: Sessions will be held at the Preston Community Center, 8625 310th Ave SE, Preston, WA 98027
- Sedro Woolley – October 5 to November 30, 2017
Class Sessions are 6:00-9:00 PM Thursday evenings
Where: Sessions will be held in the conference room at the DNR Northwest Region Office, 919 N Township St, Sedro Woolley, WA 98284.

Please contact me at (360) 902-1415 or tamara.miketa@dnr.wa.gov if you have questions.

TM/



State of Washington
Department of Fish and Wildlife

Mailing Address: 600 Capitol Way N, Olympia WA 98501-1091, (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia WA

April 21, 2017

MEMORANDUM

To: Forest Practices Board
From: Terry Jackson, Forest Habitats Section Manager 
Subject: Upland Wildlife Update

The following provides a brief status update for ongoing or pending actions pertaining to priority wildlife species in forested habitats.

Marbled Murrelet

- 1992: Federally listed as Threatened
- 1993: State listed as Threatened
- 1996: Federal critical habitat designated by USFWS
- 1997: FPB enacted State Forest Practices Rules
- 2017: State up-listed to Endangered

The up-listing of the Marbled Murrelet from state threatened to endangered became effective on February 4, 2017. Primary threats to the Marbled Murrelet include loss of old forest nesting habitat from timber harvest and mortality associated with net fisheries and oil spills. Estimates for Washington nesting habitat losses are approximately 30% for non-federal lands. At-sea population monitoring from 2001 to 2015 indicated a 4.4% decline annually. The magnitude of the population decline indicates that the status of the Marbled Murrelet in Washington has become more imperiled since state listing in 1993. Without strategies to address threats to the species it is likely the Marbled Murrelet could become functionally extirpated in Washington within the next several decades. WDNR, in consultation with WDFW, recommended that the Forest Practices Board (Board) support WDFW's initiation of a Marbled Murrelet rule assessment involving a diverse group of stakeholders. This group would evaluate rule effectiveness in protecting Marbled Murrelet habitat (e.g. Is it facilitating habitat loss?; Is it inhibiting habitat recruitment?), identify potential shortcomings in rule language and/or on-the-ground implementation, and strive to bring consensus recommendations to the Board.

WDFW is working with partners to conduct at-sea monitoring surveys and pursuing other critical research regarding sea diet. USFWS and WDFW are also revisiting the Federal Recovery Plan and considering possible recovery actions for protection of the Murrelet.

Canada Lynx

- 1993: State listed as Threatened
- 1994: FPB enacted voluntary management approach
- 2000: Federally listed as Threatened
- 2017: State up-listed to Endangered

On February 4, 2017 the Fish and Wildlife Commission's decision to up-list the lynx from state threatened to endangered went into effect. Current information indicates that the distribution of lynx in Washington has contracted significantly from its historic extent and that the boreal forests in western Okanogan County provide the only habitat in Washington that supports a resident lynx population. Threats to lynx include loss and fragmentation of habitat, small population size, demographic stochasticity, and the potential effects of climate change. Habitat may be lost as a result of timber harvest, but the bulk of habitat loss is due to large wildfires within the last 10 years. Estimates of lynx population size suggest it may include approximately 54 individuals. There are no indications that the conservation status of Washington's lynx population has improved since it was state and federally listed.

As a result of the uplisting and required recommendations to the Board on potential revisions to current forest practices protection strategies for lynx, WDFW recommended to WDNR (and subsequently, WDNR to the Board) that no action be taken to add Canada Lynx to the forest practices rule designation for critical habitats (state). Furthermore, it was recommended to continue the voluntary cooperative protection approach for lynx, contingent upon WDFW and landowners collaboratively updating existing lynx habitat management plans (State DNR lands and private industrial lands). WDFW is also working with academic partners, Canadian federal and provincial entities, USFWS, conservation organizations and tribes to define recovery actions that can be implemented in the near term to benefit lynx.

Northern Spotted Owl

- 1988: State listed as Endangered
- 1990: Federally listed as Threatened
- 1996: FPB enacted State Forest Practices Rules
- 2012: USFWS designation of revised critical habitat
- 2016: State retention of Endangered status

The Washington Fish and Wildlife Commission, at its February 2016 meeting, voted to retain the Northern Spotted Owl as endangered in the state of Washington. The species' population has continued to decline, primarily from ongoing habitat loss from timber harvest and wildfires, as well as competitive interactions with Barred Owls. The Northern Spotted Owl Implementation Team (NSOIT) continues working towards developing a Safe Harbor Agreement (SHA) for forest landowners to provide federal assurances while protecting existing habitat and recruiting new habitat. The group will also explore other opportunities for landowner incentives.

Woodland Caribou

- 1982: State listed as Endangered
- 1984: Federally listed as Endangered
- 2001: FPB enacted State Forest Practices Rules
- 2017: State retention of Endangered status

In January 2017, the Washington Fish and Wildlife Commission voted to retain the endangered status of the Woodland Caribou, based on the results of WDFW's periodic status review.

The Selkirk Mountains in northeastern Washington provide suitable habitat for this unique type of woodland caribou. Selkirk mountain caribou are distinguishable from other populations of woodland caribou by their habitation of mountainous areas with deep snow accumulations and their primary winter diet of arboreal lichens. These caribou were once considered abundant, possibly numbering in the hundreds in the late 1800s. The population decreased to an estimated 25 to 100 animals between 1925 and the mid-1980s. This isolated subpopulation declined rapidly from 46 to 12 caribou between 2009 and 2016. Most recently, 2016/17 mid-winter survey efforts counted only 11 individuals presently residing in British Columbia. Primary threats to these caribou include high levels of predation, collisions with vehicles on highways, human disturbance in the form of backcountry winter recreation, and climate change.

Wolverine

1998: State status: Candidate

2010: Federal status: Candidate

2013: USFWS proposal to list the North American Wolverine as threatened

2014: USFWS withdrew their proposed rule to list the wolverine as threatened

2016: USFWS initiated new status review and reopened public comment on proposed listing

On October 18, 2016, the USFWS reinitiated a status review for the North American wolverine and reopened the public comment period on its 2013 proposed rule to list the wolverine as threatened under the Endangered Species Act. The original USFWS proposal to list the wolverine as threatened was withdrawn, based on their conclusion that the factors affecting the distinct population segment (DPS - within the contiguous United States) as identified in the proposed rule were not as significant as believed at the time that the rule was proposed. Following publication of the 2013 proposed rule, there was scientific disagreement and debate about the interpretation of the habitat requirements for wolverines and the available climate change information used to determine the extent of threats to the DPS. Since that time, the USFWS was sued by environmental groups, and in April 2016, a court ruling sided with the plaintiffs resulting in the reopening of the status review process.

The public comment period closed on November 17, 2016. The USFWS will use the information from the status review to determine whether the wolverine DPS meets the definition of an endangered or threatened species, a process that will take about a year.

Fisher

1998: State listed as endangered

2016: Federal listing status: In April 2016, final decision that listing is not warranted.

The fisher, a member of the weasel family, is returning to the state after disappearing from Washington's forestlands during the last century. To date, WDFW and its partners have successfully relocated a total of 159 fishers from British Columbia to the Olympic National Park and other federal lands within the southern Cascade Mountain Range. Sixty-nine (69) fishers have been released at Mount Rainier National Park and the Gifford Pinchot National Forest since December 2015.

These recovery efforts were one reason why the U.S. Fish and Wildlife Service (USFWS) determined in that the state's fisher population did not require protection under the federal Endangered Species Act (ESA). Another factor in their decision was Washington State's leadership in working together with forest industry, private landowners and other conservation

entities to develop a voluntary program that provides forest landowners an incentive to work as partners in the recovery effort. This voluntary program is called a Candidate Conservation Agreement with Assurances (CCAA). Landowners who choose to enroll in the CCAA receive federal regulatory assurances in the event that the fisher becomes listed in the future. By signing on to the CCAA, which is administered by WDFW, landowners agree to follow basic conservation measures that protect fishers that may use habitat on their private lands. To date, 45 landowners and 2.9+ million acres of forest land are enrolled in the CCAA and additional landowners can enroll at any time.

Future Updates to the Board

The forest practices rules require that when a species is listed by the Washington Fish and Wildlife Commission and/or the U.S. Secretary of the Interior or Commerce, DNR consults with WDFW and makes a recommendation to the Forest Practices Board as to whether protection is needed under the Critical Habitat (State) rule (WAC 222-16-080). WDFW and DNR continue to coordinate in order to anticipate federal actions and/or state action in response to changes in the status of any given species.

cc: Hannah Anderson
Penny Becker
Gary Bell
Marc Engel
Sherri Felix
Joe Shramek
Amy Windrope



**DEPARTMENT OF
NATURAL RESOURCES**

**OFFICE OF COMMISSIONER OF
PUBLIC LANDS HILARY FRANZ**
1111 WASHINGTON ST SE
OLYMPIA, WA 98504-7001

360-902-1000
CPL@DNR.WA.GOV
WWW.DNR.WA.GOV

April 27, 2017

TO: Washington Forest Practices Board
FROM: Lauren Burnes, (DNR) on behalf of the Northern Spotted Owl Implementation Team
RE: Update on Activities of the NSOIT

The priority of the NSOIT has been the development of a voluntary, “opt-in” programmatic Safe Harbor Agreement (SHA) for the Northern Spotted Owl (NSO). The goal of the programmatic SHA is to provide a voluntary federal assurance option to nonfederal landowners of all sizes wishing to contribute to the conservation of the NSO. The NSOIT convened a Safe Harbor work group to develop the components of the programmatic SHA and consists of: DNR (lead); USFWS; WDFW; Conservation Caucus; Industry; and Small Forest Landowners.

The work group has made significant progress over the past year working through key technical aspects of the voluntary federal assurance program such as defining baseline and determining conservation measures available. Now the primary focus of the work group is to estimate incidental take associated with the program. Unlike a Habitat Conservation Plan (HCP), a Safe Harbor Agreement does not allow for mitigation debt - all activities must be above-baseline conditions and contribute to a net conservation benefit to the NSO. Landowners will have the opportunity to grow additional habitat above their baseline without risk of additional ESA restrictions, and once a net conservation benefit has been reached, return their property to baseline at the end of the agreement. The work group has endeavored to maximize landowner flexibility in the program while providing net conservation benefit to the NSO.

The draft SHA will receive legal review prior to submission to the USFWS. Concurrently, forest practices division has begun an operational review of the SHA policy components. The draft will then undergo an Environmental Assessment process complete with public review under the National Environmental Policy Act (NEPA). After the NEPA public process, USFWS will make a determination whether to approve the programmatic SHA and issue and the associated Enhancement of Survival Permit (ESP) to the Department of Natural Resources. Should the SHA and ESP be approved, landowners would be able to “opt-in” to the program and receive a Certificate of Inclusion. We greatly appreciate the efforts of our work group and forest practices division staff as we craft this SHA.

I will be available during the May Board meeting should you have any questions.