



**DEPARTMENT OF  
NATURAL RESOURCES**

**Forest Practices Division**

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MEMORANDUM

January 31, 2021

TO: Forest Practices Board

FROM: Mark Hicks, Adaptive Management Program Administrator 

SUBJECT: Adaptive Management Program Quarterly Report

This memo highlights work completed and progress made in the Adaptive Management Program (AMP) since your November, 2020 meeting.

**AMP Budget Update**

- There is no expectation any appreciable funds allocated to the AMP for the FY 19-21 biennium will be left unspent at the end of the current Fiscal Year.
- The Timber Fish and Wildlife (TFW) Policy committee budget workgroup began meeting in early January to evaluate what if any changes the committee should recommend the Board make to the Master Project Schedule (MPS) budget beyond the current FY19-21 biennium.

**AMP Staffing Update**

- The MPS budget approved by the Board in August includes phasing in the hiring of the two vacant CMER staff scientist positions with a Wetland Scientist to be hired in in FY22 and the second vacancy filled in FY26. The hiring of these staff was delayed in August 2020 in order to keep the MPS budget in balance.
- Two employees of the AMP have resigned their positions during this quarter. These are the Supervisory Project Manager (Ben Flint) and the Administrative Assistant (Jacob Hibbeln). At this time, the AMPA is actively recruiting new staff to fill these critical positions.

## **Cooperative Monitoring, Evaluation and Research Committee (CMER) Update**

### **Projects with Key Stages Completed:**

- The Eastside Modeling Effectiveness Project applying forest health and fire risk models to eastside riparian areas has been approved by the Independent Scientific Peer Review (ISPR) process. CMER is now developing its answers to the six standard CMER-Policy interaction questions and will then forward the findings package to Policy. Policy will then determine if they will recommend the Board take any action in response to the study.

### **Projects in Active Development:**

- The Type N Hard Rock Phase II Extended Monitoring Report received substantial review comments from the ISPR that are now being addressed by the authors. The ISPR review process is likely to be completed by April or May of 2021. After this, CMER will need to come into consensus on their findings report to Policy who will then need to come into consensus on action recommendations to the Forest Practices Board. If there are no substantial points of disagreement the Board will likely receive recommendations from Policy at either its August or November 2021 meeting.
- The Type N Soft Rock study was completed and the draft report has received its initial review by the ISPR panel. The authors are in the process of providing ISPR with their suggested edits to satisfy the comments received. The authors expect to provide responses to all of the comments by March 2021.
- The Road Prescription Scale Effectiveness Monitoring Project is in full implementation. However, some model parameterization experiments have been postponed due to the reduction in the budget for this current biennium. Project costs have also gone up. This is in part due to unexpected wear and tear on equipment and the need for more frequent visits caused by higher than expected flow through the sampling equipment.
- The Eastside Type N Riparian Effectiveness Project (ENREP) is in full implementation in the original four basin site-pairs, and is adding one additional site-pair near Mt. Spokane to increase sample size and strengthen the study. Additionally, the TFW Policy Committee acting on a request from CMER is asking the Board to authorize a Pilot Rule for one section of one study stream. The purpose is to allow clear-cut harvesting to occur within the lower 500 feet of stream feeding into Type F waters. Clear-cut harvest is not otherwise allowed in rule in this section of Np streams on the eastside. This action is requested to allow CMER to conduct research which may help inform a specific TFW Policy question

on the effect of buffering sections of Np streams that go seasonally dry. This request is being presented separately to the Board at its February meeting.

- The Eastside Timber Habitat Evaluation Project is in scoping. The draft scoping document is now in CMER review. If approved by CMER it will then move to the TFW Policy Committee to reach consensus on what study design alternative CMER should move forward with. These scoping reviews generally consist of deliberations that try to balance the critical questions a study is designed to answer, the desired rigor of the study, and its timing and cost.
- Type F Effectiveness Monitoring Project Phase I Pilot Study remains in report preparation. The pilot study is intended to be used to develop a study design for a more rigorous test of the effectiveness of the Type F (fish bearing stream) rule buffers. This next phase, however, was moved out by 4 years in the MPS to respond to the limitations of the AMP budget.
- The Riparian Characteristics and Shade Project (RCS) draft study design is in CMER review. This project examines the effects of various buffer widths and intensities of riparian management on shade across the state. The MPS assumes site selection will occur in early FY22. At their January meeting, however, CMER members did not approve the report in its current form and this may affect the ability to meet the MPS schedule. The issues causing this non-approval vary. The small and large landowner representatives want three more treatments added to the study, and the Eastside Tribal representative opposes experimental harvests less stringent than the current rules near fish bearing streams and does not approve of the study being conducted before new Timber Habitat Types are established (study to identify these is in scoping currently). The landowners will be taking their issue into dispute resolution. Resolving the Tribal representative's opposition will be more complicated and will necessitate involving TFW Policy since not testing sites on the eastside is in conflict with the approved project scope approved by Policy.
- The Landslide Mapping and Classification project-phase is now in study design development within the Upland Processes Science Advisory Group (UPSAG). This is the first project of the Deep-Seated Landslide Research Strategy.
- The Amphibians in Intermittent Streams Study is in project scoping within the Landscape and Wildlife Science Advisory Group (LWAG). Further work on this study beyond scoping was moved out 3 years on the MPS last August due to the AMP budget limitations.

- The Forested Wetlands Effectiveness Study (FWEP) has an approved study design with the Wetland Science Advisory Group (WetSAG) currently working on an implementation plan. The MPS has scheduled filling the current wetland scientist staff vacancy in FY22. This staff member would take on a significant role in moving this project forward.
- The LiDAR-based Wetland Intrinsic Potential Tool (WIP) remains near completion with CMER providing the standard 6 CMER-Policy Interactions document at their January meeting.
- The Wetland Management Zone Effectiveness Monitoring Study is expected to examine rule effectiveness on non-forested wetlands. This study is at the initial stage of scoping, and funding to assist in this work was moved out 3 years on the MPS last August due to the AMP budget limitations. WetSAG is using available stakeholder and staff resources to move the project forward.<sup>1</sup>
- A new Large Woody Debris Recruitment Study is being scoped within the RSAG with the current intention of adding it to the Phase II Westside Type F Effectiveness Monitoring Study once MPS funding is available to move that project forward.<sup>1</sup>
- The eDNA Exploratory Report is a project in which the AMP contributed funds to add sites from western Washington to a collaborative study that was being led by the US Forest Service in Oregon. The purpose was to compare the results of using environmental DNR (eDNA) and traditional electrofishing for identifying the presence of fish in streams. The members of Instream Processes Science Advisory Group (ISAG) went into dispute over concerns with the initial draft report. The concerns were resolved in the informal stage one of dispute resolution in order to get agreement to ask the author to respond to all of the issues of concern. The revised report is now in its second dispute, essentially over the same issues but with a focus on whether the revised report should become an official CMER document. Project Management staff have set up the first meeting to try and resolve this dispute in February.
- The Small Forest Landowner Template Proposal Initiation included a white paper asserting a scientific basis for the proposal. This proposal, developed outside the AMP, was recently passed on to CMER for their review. Policy directed CMER to provide their assessment of the scientific basis using the same six questions format used to transmit the results of

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<sup>1</sup> Projects being developed using cooperator and staff resources do still use funding from the AMP in the form of staff and cooperator financial compensation, and occupy time that could otherwise be invested in expediting projects formally prioritized by the Board.

studies developed within the AMP. This has proven challenging for CMER, and at the January CMER meeting the Small Forest Landowner representative invoked dispute resolution on the slow pace of the project and the perceived unwillingness of some members to continue to pursue a consensus report for TWF Policy.

- The SMART Buffer Study entered the AMP as a Washington Forest Protection Association (WFPA) Proposal Initiation request. WFPA employees and member companies intend to conduct a pilot study to test the feasibility of establishing site specific shade buffers that focus retaining trees only in locations most needed to block incoming solar radiation during the peak of summer. Although, changes have been made to the WFPA-proposed study design in response to CMER comments, at the time of this writing multiple CMER reviewers are indicating they have key concerns that have not been satisfied.

### **TFW Policy Committee Update**

- On July 14<sup>th</sup> the Small Forest Landowner Caucus initiated Stage 1 of the dispute resolution process on work related to their proposed Alternate Plan Template. The dispute is focused on their dissatisfaction with progress of a Policy work group tasked with identifying situations in the field where allowing 25 foot buffers for Type Np waters, and 50 and 75 foot buffers for Type F waters would be appropriate. According to the Rule and Board Manual, Policy has two months to try and informally work through the dispute. If that is not successful, the dispute enters Stage 2 which is by default outside mediation. Policy has 3 months in Stage 2, unless they agree by consensus to extend their discussions because they are making good progress. If this is unsuccessful, the parties prepare position papers to bring to the Board for your decision. After several months of discussion, Stage 1 proved unsuccessful in resolving the dispute so the issue has moved to Stage 2. The AMP's first attempt solicitation for a mediator resulted in no applicants. Contracting staff and the assigned Project Manager contacted mediators who downloaded the application but who did not apply to ask them why. The solicitation request was then changed to allow 3 rather than 2 months to conduct the dispute resolution process, and moved the application deadline to January 11<sup>th</sup> outside the winter holiday period. Only one application was received in this second solicitation attempt. That applicant was found satisfactory by the disputants and a contract is being written to begin the mediation process soon as possible.
- On January 29, Policy held a workshop on Extensive Status and Trends Monitoring in order to develop a better understanding of how this form of monitoring could be best used in the Adaptive Management Program.

If you have any questions, please feel free to contact me ([mark.hicks@dnr.wa.gov](mailto:mark.hicks@dnr.wa.gov), 360-902-1909).



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**MEMORANDUM**

**DATE:** January 28, 2021

**TO:** Forest Practices Board

**FROM:** Cooperative Monitoring Evaluation and Research Committee (CMER) and the Instream Processes Science Advisory Group (ISAG)

**THROUGH:** Mark Hicks, Adaptive Management Program Administrator 

**SUBJECT:** Update on Water Typing Study Design Development

At the May 2020 Board meeting the CMER and ISAG co-chairs (Chris Mendoza and Jason Walter, respectively) presented a CMER water typing strategy for further development of study designs for PHBs, DPC, and LiDAR in response to the Board's motion (see attached). The following provides the language from those initial recommendations along with an update on the progress made on each since the May 2020 Board meeting.

**Recommendation 1:** "Study design authors should incorporate 'Best Available Science' (BAS) and other steps outlined in the CMER Protocol and Standards Manual (PSM), Chapter 7, when developing study designs for the individual approaches that are part of the CMER Water Typing Strategy (see Appendix III)."

**Update:** ISAG members have been working cooperatively to address some of the key issues that arose during CMER's informal review of the PHB Validation Study developed by Cramer Fish Sciences as requested by the Board (see CMER comment matrix delivered to the Board in 2019). All key revisions to the original study design will be tracked and summarized, with rationale provided for such changes, so the Board is aware of what changed and why.

**Recommendation 2:** "Collect initial data at a single set of unbiased and representative field sites to potentially inform at least some elements of all three studies."

**Update:** ISAG members have been exploring several alternatives for study design data collection methods, sample size / population, and statistical analysis, with an eye toward the feasibility of combining elements of the studies. ISAG will be consulting with a statistician once the alternatives have been further vetted and narrowed down.

**Recommendation 3:** "Coordinate implementation of the DPC and PHB studies to take advantage of their shared elements (e.g. sample sites, upstream extent of fish distribution information), but maintain separate study-specific elements (e.g. focused analysis) that are designed to accomplish study objectives and answer project related critical questions in the CMER work plan (2019 - 2020)."

**Update:** ISAG members have begun preliminary discussions of the potential for improving efficiencies by combining shared elements of the PHB and DPC studies. However, ISAG has prioritized revising the PHB Validation study and are noting how the nature and extent of those revisions will directly affect the DPC study design.

**Recommendation 4:** “Postpone implementation of the LiDAR Model study until after completion of the DPC and PHB studies and the development of a statewide LiDAR derived stream network.”

**Update:** Consistent with the justification statement in the CMER / ISAG Water Typing Strategy presented to the Board in May 2020, ISAG has postponed work on this recommendation: *“The primary objective of developing a LiDAR model would be to identify PHB and DPC points as defined by the other two studies. Therefore, it is logical to wait until metrics associated with those approaches are permanently defined before developing a new model. LiDAR coverage of Washington is currently incomplete, and statewide coverage will be necessary for full implementation of the new LiDAR model map.”*

**Recommendation 5:** “There is potential for eDNA (Environmental DNA) to be included as an added element to the PHB and/or DPC studies, however, continued investigation of eDNA as a prospective water typing tool should not necessarily be limited to work within these other studies.”

**Update:** Consistent with the justification statement in the CMER / ISAG Water Typing Strategy presented to the Board in May 2020, ISAG has postponed work on this recommendation: Additionally, CMER is currently in the process of finalizing review of the eDNA report that might further inform the extent to which the PHB and DPC studies will lend themselves to the inclusion of an eDNA element.

**Recommendation 6:** “Structure the studies so that the eastside and westside portions of each study may function independently if needed.”

**Update:** The ability to implement and analyze the study data independently in eastern and western Washington is a key factor in ISAG's current development of the sample population and selection, data collection, and analysis methods. ISAG/CMER may be requesting feedback from the Board regarding geographic considerations (e.g. Western WA, Eastern WA, ecoregion, etc.,) that could potentially affect the PHB study design sampling methods, population of interest, and data analysis.

**Recommendation 7:** “CMER should be tasked with development and approval of the final study designs for the individual approaches that are part of the CMER Water Typing Strategy.”

**Update:** CMER is still planning on these future tasks as they arise.

**Budget**

The PHB budget estimates include labor, travel, per diem, equipment, and project on-going expenses for each study phase. Expenditures and estimates do not include CMER staff or ISPR review. More accurate estimates will be forthcoming pending completion of the study designs. Because the PHB and DPC projects will be implemented concurrently, the PHB budget estimates are expected to capture the majority of costs associated with both projects. However, these estimates may change as the DPC study design is finalized

	PHB	DPC	LiDAR	eDNA
<b>Expenditures to Date</b>	\$395,369	\$115,132.94	\$245,241.70	\$59,512.47
<b>Budget</b>				
<b>FY 21*</b>	\$0	\$0	\$0	\$5,500
<b>FY 22**</b>	\$185,600	TBD	\$0	\$0
<b>FY 23**</b>	\$911,400	TBD	\$0	\$0
<b>FY 24**</b>	\$929,900	TBD	\$0	\$0
<b>FY 25**</b>	\$953,000	TBD	\$0	\$0
<b>FY 26**</b>	\$419,300	TBD	TBD	\$0
<b>FY 27**</b>	\$59,500	TBD	TBD	\$0
<b>Project Total</b>	<b>\$3,854,100</b>	TBD	TBD	\$0

\* Board approved budget, August 12, 2020.

\*\* Estimated budget. Based on current project timeline and PHB study design. Additional revisions will be made as the study designs and implementation plans are developed.

**Estimated Timeline**

	FY21	FY22	FY23	FY24	FY25	FY26	FY27
<b>PHB</b>	<b>Study Design</b>						
		<b>ISPR Review</b>					
		<b>Implementation Plan</b>					
			<b>Site Selection and Data collection</b>				
			<b>QA/QC and Data Analysis</b>				
						<b>Report Writing</b>	
<b>PHB Budget</b>	\$0	\$185,600	\$911,400	\$929,900	\$953,300	\$419,300	\$59,500
<b>DPC</b>	<b>Study Design</b>						
		<b>ISPR Review</b>					
		<b>Implementation Plan</b>					
			<b>Site Selection and Data collection</b>				
			<b>QA/QC and Data Analysis</b>				
						<b>Report Writing</b>	



<b>DPC Budget</b>	\$0	TBD	TBD	TBD	TBD	TBD	TBD
<b>LiDAR</b>	<b>Postpone implementation of the LiDAR Model study until after the completion of DPC and PHB studies and the development of a statewide LiDAR derived stream network.</b>						
<b>LiDAR Budget</b>	\$0	\$0	\$0	\$0	\$0	TBD	TBD



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January 28, 2021

**TO:** Forest Practices Board

**FROM:** Tami Miketa, Manager, Small Forest Landowner Office – Forest Practices TM

**SUBJECT:** Small Forest Landowner Office and Advisory Committee

**Small Forest Landowner Office Advisory Committee**

Since my last report, the Small Forest Landowner Office Advisory Committee held two meetings: November 17, 2020, and January 19, 2021 (via Zoom). Discussions focused on the following topics:

- SFLO Program and Staff Updates; and
- Developing a “relatively low impact” harvest prescriptions definition to present to the DNR Small Forest Landowner Office (SFLO). There were minor changes to the draft definition of “relatively low impact”, and all caucuses on the Committee voted in agreement to accept the updated definition. The Committee also discussed specific proposals that could apply as “relatively low impact” per the Committee’s definition.
- Discussion of the report responding to HB 5330, *Washington's Small Forest Landowners in 2020, Status, Trends and Recommendations after 20 years of Forests & Fish* published by University of Washington School of Environmental and Forest Sciences.

**SFLO Program and Staff Updates**

The SFLO is currently hiring an additional Small Forest Landowner Regulation Assistance Forester. This is a non-permanent position scheduled to work through June 30, 2021. This position consults and provides technical assistance to help small forest landowners prepare to conduct forest practices activities on their forestland. This position will help them understand and apply the Forest Practices Rules and assist with the preparation of Forest Practices Applications (FPAs). This includes those with landowner alternate plans, long-term applications, alternate plan templates, and other forest practices related issues. This position also performs forest road assessments to determine the condition of small forest landowner roads and discuss landowner road construction and maintenance obligations under the Forest Practices Rules and Clean Water Act requirements.

In addition, the Office is recruiting for a Small Forest Landowner Conservation Easement Program Manager. This is a position that was recently vacated. This position is the statewide program manager of the Rivers and Habitat Open Space Program will manage the cruise

contracts for the Forestry Riparian Easement Program and the Rivers and Habitat Open Space Program.

There are currently 140 small forest landowners who have volunteered to have our current Regulation Assistance Forester conduct road surveys on their forestland. A total of 74 surveys have been completed which are distributed over 31 counties across the state. During the first half of the biennium, the Regulation Assistance Forester assisted with 26 Forest Practices Applications covering 4,284 acres, and has responded to 283 requests for assistance.

### **Long Term Applications (LTA)**

There are a total of 294 approved long term applications, which is an increase of four approved applications as of the end of the last reporting period (10/22/2020).

<b>LTA Applications</b>	<b>LTA Phase 1</b>	<b>LTA Phase 2</b>	<b>TOTAL</b>
Under Review	6	2	<b>8</b>
Approved	5	294	<b>299</b>
<b>TOTAL</b>	<b>11</b>	<b>296</b>	<b>307</b>

### **Upcoming Landowner Events**

#### **WSU Extension Forestry**

Announcements and Events

#### **[2021 Online Washington Forest Owners' Winter School](#)**

- Saturday, February 27th, 9:00 AM to 3:00 PM.

#### **[Winter 2021 Northwest WA Online Forest Stewardship Coached Planning Course](#)**

- January 27 – March 17, 2021

#### **Other Events**

#### **[Washington State Society of American Foresters 2021 Conference](#)**

Leavenworth, WA

Monday, April 19, through Wednesday, April 21, 2021

#### **[Qualified Tree Farm Inspector Training](#)**

Leavenworth, WA

Monday, April 19, 2021

For more information on these landowner events go to <http://forestry.wsu.edu/>

Please contact me at (360) 902-1415 or [tami.miketa@dnr.wa.gov](mailto:tami.miketa@dnr.wa.gov) if you have questions.

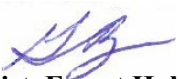
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February 10, 2021

## MEMORANDUM

**To:** Forest Practices Board   
**From:** Gary Bell, Wildlife Biologist, Forest Habitats Section  
**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 uplisted to Endangered

The marbled murrelet population in Washington's marine waters has declined by 3.93% annually (2001-2019) with the strongest annual declines (4.96%; 2001-2020) in the inland marine waters of the State (Puget Sound and Strait of Juan de Fuca). The species' status in Washington has not improved since state listing in 1993. As a result of state uplisting to endangered status, the Washington Department of Natural Resources (WDNR), in consultation with Washington Department of Fish and Wildlife (WDFW), recommended that the Forest Practices Board (Board) support initiation of a forest practices rule (FP Rule) assessment including a diverse group of stakeholders. WDFW established a Wildlife Working Group (WWG) to evaluate rule effectiveness in protecting murrelet habitat, identify weaknesses in rule language and on-the-ground implementation, consider potential habitat conservation incentives, and provide recommendations for FP Rule improvements to the Board. The WWG began meeting in 2018 and held its most recent online meeting January 15, 2021. Efforts continue with gathering and analyzing new information on threats to marbled murrelet and to confirm the appropriate definition of murrelet habitat. Updated science will help determine if the current habitat definition identifies attributes that provide functional murrelet habitat or if it should be modified. Following that, focus will shift to addressing necessary changes to process and implementation aspects of the FP Rule.

As part of the NW Forest Plan Effectiveness Monitoring Team, WDFW continues to monitor marbled murrelet populations at-sea in both Zones 1 (Puget Sound and Strait) and Zone 2 (Washington coast) during the nesting season. Each zone is monitored in alternating years and Zone 2 was monitored in 2019 and Zone 1 was monitored in 2020 and the reports summarizing these results is being finalized now. We note that these are the only data available to assess murrelet abundance and trends for the listed population. The NW Forest Plan Effectiveness Monitoring team's 25-year report is in-press and expected to be released in early 2021. WDFW started the ninth year of Navy funded non-breeding season surveys in Puget Sound. The 2019/2020 at-sea survey report is now available; however, the March/April 2020 season was cut short due to the COVID-19 pandemic.

On December 18, 2020, WDFW provided comments to the US Fish & Wildlife Service (USFWS) on two federal permit applications for Safe Harbor Agreements (SHAs) for Marbled Murrelet. The SHAs would

provide applicants a different pathway to achieve compliance with current Forest Practices Rules. If approved, participating commercial timberland owners would set aside certain forest types within and outside of Forest and Fish HCP riparian buffers as well as at occupied sites. As proposed, in exchange for these set asides, they would not be required to assess forest stands to identify Marbled Murrelet habitat (WAC 222-10-042). Additionally, they would not be required to conduct nest platform density assessments (FP Board Manual 15) nor to conduct protocol murrelet surveys to determine site occupancy and identification as critical habitat (state) (WAC 222-16-080). WDFW has requested clarification on how the SHA proposals established baseline habitat conditions and how they may provide net conservation benefit for marbled murrelet above the existing HCP and forest practices rules.

### **Canada Lynx**

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

The Canada Lynx was uplisted to state endangered on February 4, 2017. It was recommended that no action be taken to add lynx to the forest practices rule designation for critical habitats (state) and to maintain the voluntary protection approach for lynx. WDFW efforts continue to identify lynx conservation opportunities in collaboration with landowners, Canadian federal and provincial entities, US Fish & Wildlife Service (USFWS), US Forest Service (USFS), conservation organizations, tribes and academic partners. The goal is to refine recovery actions that can be implemented in the near- and long-term to benefit lynx conservation in Washington.

Forest Practice Application (FPA) screening continues to identify potential impacts to lynx and, given recent wildfire impacts to habitat in northcentral Washington, WDFW has been working with its partners to heighten awareness of the importance in protecting remaining lynx habitat at risk to fires, with increased focus on federal lands. DNR and WDFW participate in the *Transboundary Lynx Work Group*, and the group is exploring conservation strategies including coordination with Canadian partners to augment demographic support for Washington's lynx population. More recently, the Colville Confederated Tribes have initiated planning for lynx translocations from Canada into Colville Tribal lands near the Kettle range.

The November 2017 USFWS summary of the lynx 5-year Species Status Assessment determined that regulatory improvements addressed the threat that led to the original listing of the lynx distinct population segment (DPS). The proposal to remove lynx from the federal list of threatened and endangered species is still pending.

### **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

Recognized as a state endangered species, the Northern Spotted Owl (NSO) population has continued to decline primarily due to ongoing competitive interactions with Barred Owls. Habitat changes associated with timber management and forest health issues, as well as wildfires, have also affected NSO.

The Barred Owl removal experiment on the Cle Elum study area in the eastern Cascade Range has been completed. The analysis timeframe for this multi-year project is not currently known, although annual reports have been published each year of the project. The USFWS is beginning to address Barred Owl management options and implementation strategies related to Spotted Owl conservation. WDFW will be involved in that initiative.

### **Gray Wolf**

1973: Federally listed as Threatened  
1978: Federally reclassified at species level, listed as Endangered  
1980: State listed as Endangered

1996: FPB enacted State Forest Practices Rules  
2011: Federally delisted in eastern one-third of WA; Endangered in western two-thirds of WA  
2021: Federally delisted in lower 48 states, including WA

Effective January 4, 2021, the gray wolf was removed from the federal Endangered Species Act (ESA) *List of Endangered and Threatened Wildlife*. In Washington, the federal decision to delist gray wolves applies to the western two-thirds of the state and makes the federal status consistent across the state. Of the 26 known packs, 21 reside in the eastern third of the state where wolves have not been federally listed under the ESA since 2011. The federal delisting has no effect on the forest practice rule concerning critical habitat (state) for wolves, which specifically provides protection of active wolf dens (WAC 222-16-080). Gray wolves currently retain their state endangered status, but the federal delisting coincides with consistent recolonization by wolves occurring throughout the state and provides WDFW greater management flexibility. WDFW continues to work closely with partners, stakeholders, and communities on the recovery, conservation, and management of wolves in Washington.

### **Fisher**

1998: State listed as Endangered  
2016: Federal status: Final decision for west coast DPS - not warranted for listing (April 2016)  
2018: Northern District Court of California ruling on 2017 USFWS fisher ESA listing withdrawal  
2019: Federal publication of Candidate Notice of Review (October), including fisher

Fisher reintroductions into Washington have been completed by WDFW and cooperating partners. A total of 260 fishers have been reintroduced, including 90 in Olympic National Park (2008-2010), and 170 in other federal lands within the southern and northern Cascade Mountains.

Combined with the Candidate Conservation Agreement with Assurances (CCAA) program administered by WDFW, the reintroductions have assisted the species return to the state. Non-federal landowners can continue to enroll in the CCAA and receive federal regulatory assurances if the fisher were to become listed under the ESA in the future. By signing on to the CCAA, landowners agree to follow basic conservation measures that protect fishers that may use private lands. At this time, 60 landowners representing 3,436,117 acres of non-federal forest lands are enrolled in the CCAA.

### **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, WDNR 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 WDNR continue coordinating to anticipate federal actions and to respond to changes in the status of any given species.

cc: Chris Conklin (WDFW)  
Hannah Anderson (WDFW)  
Taylor Cotten (WDFW)  
Wendy Connally (WDFW)  
Marc Engel (DNR)  
Colleen Granberg (DNR)  
Joseph Shramek (DNR)