

1 **FOREST PRACTICES BOARD**

2 November 14, 2001

3 Natural Resource Building

4 Olympia, Washington

5
6 **Members Present:**

7 Pat McElroy, Designee for Commissioner Sutherland, Chair of the Board

8 Fran Abel, General Public Member

9 Lloyd Anderson, General Public Member/Independent Logging Contractor

10 Toby Murray, General Public Member

11 Dick Wallace, Designee for Director, Department of Ecology

12 Lee Faulconer, Designee for Director, Department of Agriculture

13 Judy Turpin, General Public Member

14 Keith Johnson, General Public Member/Small Forest Landowner

15 Robin Pollard, Designee for Director, Office of Trade and Economic Development

16
17 **Members Absent:**

18 Dave Somers, Snohomish County Council

19 Bob Kelly, General Public Member

20 John Mankowski, Designee for Director, Department of Fish and Wildlife

21
22 **Staff:**

23 Lenny Young, Paddy O'Brien, Jed Herman, Patricia Anderson, and Josh Brown

24
25 **CALL TO ORDER**

26 Pat McElroy called the meeting to order at 9:00 a.m. Introductions were made. McElroy stated that

27 Dave Somers was not reelected and his term on the Board will expire at the end of the year.

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29 **MOTION:** McElroy moved to approve the August 8, 2001 minutes as amended.

30 **SECONDED:** Toby Murray

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32 **Board Discussion**

33 Judy Turpin presented Bob Kelly's amendments to the minutes. On page 8 line 18, the
34 recommended language is, "Pleus submitted to the board for their review a Northwest Indian
35 Fisheries Commission document dated August 2, 2001 titled, "FPB Manual Process Review" that
36 outlined four key process questions and provided suggested answers for discussion purposes."

37 Lee Faulconer stated that the minutes should also reflect his absence.

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39 **ACTION:** Motion passed unanimously as amended.

1 **PUBLIC COMMENT**

2 Nels Hanson, Washington Farm Forestry Association and small forest landowner, commented on
3 the Board agenda item, Joint Taskforce and Board Committee on Small Forest Landowners that will
4 be discussed later in the meeting. Hanson stated that the agencies, tribes, and landowners that
5 participated have been very productive in developing and defining criteria leading to the
6 development of alternative plans and templates. Hanson pointed out that alternate plans have two
7 dimensions: 1) protecting functions which must be at least equal to that provided by the Forests and
8 Fish rules, and 2) prescriptions which can significantly protect and improve landowner economic
9 viability. The taskforce report that will be delivered later in the meeting deals primarily with
10 functions. The next step will deal with the prescriptions or variations on the rules and are not
11 included in this report.

12

13 Hanson went on to describe the importance of templates in gaining the participation of small forest
14 landowners in alternate plans. Templates would take away much of the uncertainty that keeps small
15 forest landowners from participating in the program. Keith Johnson asked if Hanson could
16 elaborate on how the template process would work. Nels answered that they have identified seven
17 common situations that would likely be issues for many landowners. A template would be designed
18 for each of these seven situations that could be applied to other landowners. Hanson used thinning
19 in the inner zone or core zone as an example, where a template could be designed that would serve
20 as a validated pattern for any future landowner requests to thin overstocked stands in the inner or
21 core zones.

22

23 Peter Heide, Director of Forest Management for Washington Forest Protection Association, was
24 concerned about the completion date of June 2003 that is indicated for the water typing maps. Until
25 those maps are completed, Heide wanted the Board to consider interim approaches that provide an
26 alternative to fish-use surveys and electro-fishing. In particular, Heide mentioned a presentation
27 that a contractor gave to WFPA that would not replace mapping, but would instead be a way to use
28 internet technology to display the results of the water typing model more quickly than June 2003.
29 Heide believes it is important for the Board to take a look at the potential for opportunities that
30 would provide alternatives to surveys and electro-fishing.

31

1
2 Lloyd Heglund owns 53 ½ acres of timberland that includes a mixed stand of low value trees and a
3 stream. Heglund is concerned that the shade rules that apply to this stream segment are excessive
4 for several reasons: the sun does not hit one side of the stream at all but the same requirements
5 apply there as apply to the side that gets full sun, the stream width requirements were determined by
6 unprecedented water heights and cold temperatures, and beaver ponds have caused the stream to be
7 much wider than it would be otherwise. Large woody debris is not an issue because of the number
8 of beaver dams that occur in the area. Heglund stated that the stream width requirements in the new
9 rules do not coincide with the amount of water that generally flows through the stream, and that in
10 the thirty years he has owned the property he has never seen the high water flows that the rules
11 imply. Heglund provided photos that demonstrated his issues. Additionally, Heglund is a small
12 landowner that does not fit into the programs designed to offer relief to small forest landowners.

13
14 McElroy proposed that Heglund have a forester from the DNR Small Forest Landowner Office visit
15 his property along with a fish biologist from the Department of Fish and Wildlife to assess his
16 specific situation.

17
18 **WATER TYPING MODEL UPDATE**

19 Darin Cramer provided the Board with an opportunity to ask questions about his memorandum
20 updating the water typing project. He indicated that the June 2003 revised completion date has
21 some assumptions built into it that may need to be adjusted. In particular, there may be some delays
22 pertaining to the work at the end of the project involving the coding of data back into the new
23 hydro-database. There is a large project that involves converting the hydro-database and a pilot
24 project to understand issues such as the requirements, how it is going to occur, and how to get the
25 new stream typing information into that system. This pilot needs to be completed prior to the
26 WRIA's on the west and east sides are brought into the system. The modeling will likely be
27 complete this summer, and then will be presented to CMER for consensus and peer review. A
28 revised date of June 2003 allows time to complete the pilot project for the hydro-conversion and to
29 implement the new water-typing system in that database.

30

1 Cramer stated that he is familiar with the interim system that Pete Heide discussed and there are
2 benefits to it. However, Lenny Young stated that the staff's recommendation is to not pursue an
3 interim system but to instead continue focusing resources on completing a high quality permanent
4 water-typing application. This is consistent with discussions with the Forests and Fish Policy
5 Group.

6
7 Turpin asked given the issues surrounding data collection during a drought emergency, will a
8 corrective factor be applied and how will the potential reliability be dealt with? Cramer stated that
9 the direction from ISAG is that data be collected on variability and the drought is just one of those
10 things that we need to understand. This is more of a long-term data collection effort and not
11 something that can be answered now or next year. Staff are gearing up to manage a couple of
12 contracts next season and one contract will be attempting to gain a better understanding of the
13 variability associated with issues such as drought, and seasonal and annual fish distribution, etc.
14 Turpin said that it was her understanding that the agreement contemplated a five percent error rate.
15 She asked if the results of the peer review indicate that this is still the goal? Cramer answered that
16 the statisticians will put together the best model possible with the data they have and will define the
17 error characterization and determine how to balance it with the data. ISAG will then take it to
18 CMER, and then it will go to the Forests and Fish Policy Group. At that time, a determination will
19 be made about whether it meets the standard or how it can be improved if it does not meet the
20 standard.

21

22 **LEGISLATIVE UPDATE**

23 Lenny Young reported that at this time the Forest Practices Division will be submitting one piece of
24 legislation. This bill proposes that RCW 76.09.240 be amended to extend the deadline for counties
25 and cities to “adopt ordinances or promulgate regulations setting standards for those Class IV forest
26 practices regulated by local government” from December 31, 2001 to December 31, 2005. Another
27 change is very minor but Young will defer to the recommendation of the Legislative Liaison as to
28 how it will be proposed.

29

30 **HCP/SEPA RULE UPDATE**

31 Ashley DeMoss updated the Board on their direction to develop a rule proposal to create

1 consistency between WAC 222-16-080 (6) on how conservation plans are managed under non Class
2 IV special status and the SEPA guidance section, 222-10 WAC. Staff has begun development of
3 the language. Negotiated rulemaking will be used, engaging the stakeholders for both their input
4 and comment. Administrative notices and processes set by the Administrative Procedures Act will
5 be followed. DeMoss anticipates that the negotiated proposal will be presented to the Board in
6 February.

7

8 **PERMANENT RULE MAKING – PROPOSAL FOR 222-21**

9 Jed Herman presented to the Board the proposed rule language implementing SHB 2105. The
10 proposed rule language includes all the necessary changes in SHB 2105 and one other minor
11 revision which is to change the title of “post harvest questionnaire” to “harvest status
12 questionnaire”.

13

14 **MOTION:** Keith moved that the Forest Practices Board accept for public review the
15 permanent rule proposal as presented on October 23, 2001 for Chapter 222-
16 21 WAC, and that staff file the CR-102 with the Code Reviser to begin the
17 permanent rule-making process.

18 **SECONDED:** Lloyd Anderson

19 **ACTION:** Motion passed unanimously.

20

21 **MOTION:** Judy moved that the Forest Practices Board direct staff to file with the Code
22 Reviser an extension of the emergency rule for Chapter 222-21 WAC, by
23 December 21, 2001, to allow time to complete the permanent rule-making
24 process.

25 **SECONDED:** Fran Abel

26

27 **Board Discussion**

28 Dick Wallace questioned whether it would be necessary to file for another extension for the
29 emergency rule after this one. Paddy O’Brien clarified that the new emergency rule is effective for
30 120 days from the day that it is filed with the Code Reviser thus the reason for filing on or by
31 December 21, 2001. This should allow the Board to complete the permanent rulemaking before the

1 new emergency rule expires.

2

3 **ACTION:** Motion passed unanimously.

4

5 **REASONABLE USE RULE**

6 Jed Herman presented the action item before the Board, which is to decide the direction of the
7 reasonable use rule.

8

9 **MOTION:** Pat McElroy moved that the Forest Practices Board proceed with rule making
10 for the reasonable use exception rule.

11 **SECONDED:** Dick Wallace

12

13 **Board Discussion**

14 McElroy stated two alternatives for the direction of rule making. The first one is to direct the
15 responsible official to begin the environmental review under SEPA and direct staff to prepare a
16 small business economic impact statement and to file a proposal with the Code Reviser. The
17 second possibility is to direct staff to establish a negotiating team comprised of representatives of
18 interested parties affected by rulemaking, to reach consensus on revisions and report back at the
19 February Board meeting, which would start a negotiated rulemaking process.

20

21 Turpin believes that the public responses indicate that we are far away from a consensus on this
22 issue. Turpin feels that it is much too early to begin the SEPA process and does not think the Board
23 is ready to move forward today.

24

25 McElroy believes that a reasonable use exception rule is needed and agrees that negotiations with
26 stakeholders need to happen. The proposal is a bare minimum start and needs considerable
27 discussion and review among the stakeholders involved. McElroy would like the Board to move
28 forward through the negotiated process and ensure that it gets done in a timely manner.

29

30 Wallace agrees with Turpin that it is too early to start any formal rule making. Wallace seconded
31 the motion in order to have the discussion. Wallace believes that the logical step would be to have

1 someone from the counties or Office of Community Development help scope out information
2 allowing DNR to learn from the counties' experiences. Wallace stated that there is a broad range of
3 comments that have been received and that even in a negotiated rule it would be good to get a scope
4
5 of whether or not we should move forward with the consensus before the Board decides to pursue
6 negotiated rule making.

7
8 Murray believes it is premature to start the rule making process and has significant concerns about
9 this threshold for "constitutional takings" at least as written. Murray is also concerned with the
10 term "reasonable use" and the additional language that states "deny all or substantially all". He
11 stated that there have been a variety of court cases recently that may alter this standard and perhaps
12 the Board should review them to see if this standard is appropriate. McElroy agreed that having the
13 lawyers involved was important.

14
15 Turpin expressed the importance of bringing attorneys with constitutional experience together from
16 the various parties and look at the case law and the courts interpretation of those provisions.

17
18 **AMENDED**

19 **MOTION:** McElroy moved that the Board proceed with rule making for the reasonable
20 use rule by directing staff to establish a negotiating team composed of
21 representatives of interested parties affected by the rule including attorneys
22 with substantial experience in "takings" law and county government, to reach
23 consensus on revisions to the current proposal and report back to the Board at
24 the February meeting.

25 **SECONDED:** Dick Wallace

26 **ACTION:** Amended motion passed unanimously.

27
28 **CMER UPDATE**

29 Geoff McNaughton shared that the Adaptive Management program is going very well. There are
30 several research projects up and running, with several more in various stages of development.
31 McNaughton discussed his memorandum asking the Board for approval of several new CMER
32 projects. The new projects were recently prioritized by CMER and represent only those new

1 projects that could realistically be developed into signed contracts by June 30, 2002. The projects
2 were approved by the Forests and Fish Policy Committee at their November 1, 2001 meeting.

3

4

5 **MOTION:** Toby Murray moved that the Forest Practices Board approve the new CMER
6 research projects as presented today.

7 **SECONDED:** Lloyd Anderson

8

9 **Board Discussion**

10 Turpin noticed an L2 relationship designated in all but one of the projects and wondered if this was
11 an oversight. McNaughton responded that the project without the designation was not prioritized
12 by CMER, however it was included because most of the stakeholders found it highly desirable.

13

14 Fran Abel questioned the use of \$30k in the budget for the forested wetlands workshop; she asked
15 what is gained with a workshop versus a literature review. McNaughton responded that the money
16 is used for both a workshop and literature review.

17

18 Wallace thought the write up was well done and liked the discussion on L2. Wallace also suggested
19 that staff characterize the key policy questions, particularly when it comes to the Board, and to
20 determine whether rulemaking may be involved. Wallace noted that in the future it would be nice
21 to get a sense of which projects are more important and should receive more stringent peer review.
22 Other projects may not need as much peer review and it might be helpful for the Board to be aware
23 of projects requiring more peer review to determine the ramifications. Wallace stated that projects
24 generally benefit from a literature review, however peer review in a workshop setting allows a more
25 robust discussion by the technical people, which is really helpful in summarizing some of the
26 common ground.

27

28 Murray is delighted to see the list of projects and to know that it is underway and that some
29 worthwhile and important information will be gathered.

30

1 **ACTION:** Motion passed unanimously.

2

3 **PROCEDURAL/ETHICS RULE**

4 Paddy O'Brien presented information to the Board on concepts that the procedural/ethics rule could
5 contain. At this time the procedural/ethics rule is just a concept. O'Brien indicated there were
6 several procedural issues that the rules could solve although she is not recommending any particular
7 rule to the Board at this time. However, an ethics rule that deals with conflicts of interest is highly
8 recommended from the Executive Ethics Board. Patricia Anderson recommended that the Board
9 consider the development of these rules as guidance for staff as well as a framework of procedures
10 and ethical standards for the Board.

11

12 **MOTION:** McElroy moved that the Forest Practices Board direct staff to file the pre-
13 notice of inquiry (CR-101) with the Code Reviser to inform the public of a
14 possible rule making for procedural and ethics rules and to use public input to
15 develop a rule proposal for consideration at the next meeting in February.

16 **SECONDED:** Judy Turpin

17

18 **Board Discussion**

19 Turpin is pleased to see that the rule would address gifts and use of public resources, as there have
20 been questions that have arisen in the past. It is sometimes unclear whether or not the Ethics Board
21 would consider something a gift or not and so clearly knowing what the rules are will allow us to
22 follow with a good conscience.

23

24 O'Brien clarified that the Ethics Board has an opinion that says that for example, helicopter rides
25 and those sorts of items are not an ethical issue. It is not considered a gift to the individual
26 members, but rather it is a gift to the Department. The proposed rule could establish a policy on
27 this, but would pertain more to the "open public meetings act" as it is very difficult for the public to
28 have access to that type of a field tour. It also raises access issues and questions when more than a
29 quorum of the Board members are participating in such an event. It would be nice if some of those
30 issues were addressed in the rule as well as a rule clarifying when a Board member should accept or
31 decline a gift.

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Murray asked for an example of what a procedural rule would be and O'Brien stated that it could be how much the Forest Practices Board would charge for copies under a public disclosure request. Another example is whether or not to use the declaratory order process. The Board could adopt a rule that states that either declaratory orders would not be used at all, or if they are used then they are limited to a specific fact pattern. Generally, declaratory orders are tools that an agency uses to help the public understand how the law applies to their situation. However, given that the rulemaking for forest practices lies with the Board, the implementation lies with the Department, and the quasi-judicial review is with the Forest Practice Appeals Board, the use of declaratory orders by the Forest Practices Board would be very confusing.

Wallace stated that the APA model rules of procedure currently apply and suggested that the Board receive a briefing of what current rules apply to the Board. O'Brien responded that most of the model rules deal with adjudicative proceedings which the Board does not have. On paper, it appears that the rules apply but because the Board does not conduct adjudicative proceedings, there would be nothing to apply the rules to. Wallace wanted to make sure that the Board understands the rules that do apply to the Board in the interim. O'Brien also mentioned that the Board could include in this proposal procedures for petitioning the Board for a rule making.

ACTION: Motion approved unanimously.

McElroy updated the Board on a recent development in the application of the twenty-acre exemption from the Forests and Fish rules. McElroy went on to say that DNR has a situation in Northwest Region where an eighty-acre parcel of forestland was harvested a number of years ago. In a series of transactions, it wound up being held by a land development company. There was a forest practice taking place, and DNR issued a "Notice to Comply". That Notice to Comply triggered a six-year moratorium by the City of Bellingham. DNR negotiated through the process with landowners and operators and lifted the "Notice to Comply". Without notice, the property was subdivided into three, twenty-acre tracks, held by a variety of different people. These individuals came forward with forest practice applications under the twenty-acre exemption. Because the property is now subdivided, the house will now be closer to the streams than the forest practices

1 could have been permitted under the Forests and Fish rules. The concern is obviously that the
2 protection for public resources has been greatly diminished. McElroy stated his personal opinion
3 that this was not what the legislature had in mind when the twenty-acre exemption rule passed.
4 McElroy indicated that DNR would notify the legislature for their information and edification. The
5 conclusion was that

6
7 while there is language in the law regarding other timber land, there is no reasonable way for DNR
8 to assess if property has been recently subdivided.

9
10 **SMALL FOREST LANDOWNER JOINT TASK FORCE & BOARD COMMITTEE**
11 **UPDATE**

12 Steve Stinson updated the Board on the small forest landowner alternate planning process. During
13 the past summer, the Taskforce toured a variety of sites and developed some guidelines for both
14 landowners and forest practices to review alternate plans. The intent is to keep refining the
15 guidelines as we go through the alternate planning process. Currently, there are three plans in
16 progress; one in NE and two in NW. Central Region has two more in the initial contact stages. The
17 goal is to have six to ten plans submitted by the end of the year and Stinson believes that the goal
18 will be met. The Taskforce also developed a draft application form. There would be guidelines for
19 landowners to use when filling out this application form. The Taskforce will need to meet with the
20 Forest Practices Board Committee on Small Forest Landowners to further review these guidelines
21 and the draft application. There has also been some review on the small forest landowner riparian
22 easement program. A meeting was held with small forest landowners who are working on a
23 legislative package to fine tune the easement program and some members of the Taskforce will
24 meet to review the package, particularly the eastside reentry situation and to lay out compensation
25 language.

26
27 Wallace added that everyone is working together and that good progress has been made. Wallace is
28 pleased with the commitment and the dedication that has been made including the great staff
29 support from the Department. Wallace encouraged everyone to continue making progress because
30 the Board is committed to making alternate plans work.

1 Turpin inquired whether the riparian easement program legislative packet would influence the
2 Board's rulemaking process and McElroy responded that he would not advocate holding the
3 permanent rule in abeyance until the bill passes or not. McElroy would rather move forward with
4 the permanent rule at this point and not delay the permanent rule process.

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7 **CULTURAL RESOURCES UPDATE**

8 Keith Johnson reported on the background and history of the Cultural Resources Committee. At the
9 Board's October 2000 workshop, Kyle Taylor Lucas brought tribal spokesmen to provide accounts
10 of assaults on cultural values and cultural sites over a long period of time. The underlying theme
11 was a clash of communities and values. A committee was formed consisting of Steve Wells as
12 chairman, Bob Kelly and Keith Johnson. Later, with Well's departure from the Board, Dave
13 Somers joined the Committee. The objective was to formalize a process for individual agreements
14 between landowners and tribes to ensure protection of traditional sites and practices. The
15 Committee considered a range of options from voluntary and non-regulatory approaches to rule
16 changes. The Committee regularly asked all tribes to participate as well as the Office of
17 Archaeology and History Preservation (OHAP).

18
19 The Committee heard from David Powell, the resident archaeologist for the Yakama Nation who
20 recounted some success stories in south central, Washington. The Committee heard from several
21 tribes that there is a lot of tribal opposition to the new rules because the rules allow disturbances to
22 habitat for fish, animals, and plants. This is a cultural consideration not an economic consideration,
23 given the cultural/religious traditions and the inter-relatedness of all life. Johnson continued that
24 during the process a question of jurisdiction arose. WAC 222-16-010 provides a definition of
25 cultural resources and WAC 222-20-120 outlines the role of the DNR in protecting cultural
26 resources under the Forest Practices Act. There is also the SEPA trigger. In the rules, an agreement
27 is not mandatory before the issuance of a forest practices application, resulting in a potential
28 conflict. It was determined early on that some process of conflict resolution is needed.

29
30 Another area of concern is the distinction between archaeology and cultural practice. Most land
31 managers are interested in protecting known archaeological sites, but the difficulty is in protecting

1 cultural sites. The task is to protect areas that are less tangible than known historical or
2 archaeological sites, while preserving the wishes of the tribes for privacy or secrecy. The
3 Committee learned that there is a high degree of distrust and suspicion of DNR by many tribes.
4 This is derived in part from the belief that when a forest practices application is completed,
5 protection ceases. Protected sites need long-term protection. There is also a perception that over
6 time DNR has not followed rules either for private lands or public lands. When sites are identified,
7 DNR is not registering them with the other appropriate state agencies. Johnson concluded that
8 voluntary compliance will only work as long as there is no cost to the forest landowner or the DNR.
9 The goal for the timber company is profit and for the DNR it is a trust responsibility to make
10 money for the schools. If there happens to be a major expenditure, there is a great probability that
11 cultural resources will be ignored and thus gravely affected. Johnson stressed this because the
12 purpose of the Committee was to bring to the attention of the Board just how deeply felt the
13 grievances are and how great the differences have been in past times. Pete Heide and Jeffrey
14 Thomas will present two approaches. One is voluntary, supported by industry and WFPA, and the
15 second is rule based supported by many tribes. Johnson read part of a letter received from Allison
16 Brooks of OAHP indicating DNR's lapse in inter-agency coordination that has severe consequences
17 and the erroneous categorization of DNR FPA class assignments. A copy of this letter will be
18 provided to the Board and Lenny Young.

19
20 Pete Heide, Director of Forest Management for the Washington Forest Protection Association,
21 presented the voluntary approach to work out cultural resources, which is through the TFW/Forests
22 and Fish Committee. Heide presented a history of activities since the TFW was initially agreed
23 upon in 1987. Heide also shared information on an initiative that the WFPA is undertaking to assist
24 WFPA members in developing positive relationships with the tribes. (See attachment A for a copy
25 of Heide's presentation.)

26
27 Turpin asked whether there had been any discussions in TFW about dispute resolution and Heide
28 responded that he did not recall any. It is WFPA's view that those disputes need to be resolved
29 between the landowner and the tribe and there needs to be a mechanism to raise these disputes to
30 the management level of companies and the governance level of the tribes. WFPA believes that
31 with the proper facilitation and training in place, disputes can be resolved. Heide pointed out that

1 WFPA does not represent all landowners. WFFA is a member and the training being developed
2 will be made available to that organization.

3
4 Robin Pollard commended WFPA for a proactive, positive approach.

5
6
7 Jeffrey Thomas, Facilitator for the Intertribal Cultural Resource Advisory Group (ICRAG),
8 presented ICRAG's Cultural Resource Protection and Management Plan for the Board's needs or
9 perhaps adoption at a later date. (See attachment B for a copy of Thomas' presentation.)

10
11 Johnson stated that the Cultural Resources Committee did help to trigger the constitution of ICRAG
12 and the work that it has done. Johnson thanked Kyle Taylor Lucas for having started the process
13 last October, Joseph Pavel, Bob Kelly, Allison Brooks, Steve Wells, Jeffrey Thomas, David Powell,
14 Mary Thompson and finally to Pete Heide and Kevin Godbout for their contributions to the
15 Committee discussions early on and to the generation of the proposals that Jeffrey presented today.
16 TFW has revived the Cultural Resources Committee and it is that Committee that ICRAG is
17 relating and working with. With the TFW having been revived, educational efforts regarding
18 voluntary approaches, ICRAG attracting tribal interests and support, and DNR addressing these
19 issues, Johnson does not see any reason to continue the existence of the Forest Practices Board's
20 Cultural Resources Committee.

21
22 McElroy thanked Johnson and the Committee for the work done. McElroy stated that now is the
23 time for the Board to engage in discussion and to the extent possible have the TFW Cultural
24 Resources Committee do the staff work and the negotiations. McElroy asked Turpin to make
25 contact with the environmental community and ask them to reengage in discussions. It is important
26 that they be a part of this process along with everything else we are doing. It's time to come
27 together again and work on this collaboratively.

28
29 McElroy appreciated Johnson's willingness to step in for Steve Wells. McElroy also appreciated
30 the work that ICRAG has done which will provide an excellent starting point for the Board to move
31 forward. McElroy is pleased that the Forests and Fish Policy Committee reengaged TFW Cultural

1 Resources, as this is an important issue for the Board.

2

3 Turpin hopes to continue to exhibit the sense of urgency as the Board moves forward. McElroy
4 indicated that he has discussed with staff how to implement the work plan. This will be a subject
5 for Board discussion at the February meeting. McElroy asked staff to work with the TFW Cultural
6 Resources Committee and make significant progress by the February meeting.

7 CLOSING COMMENTS

8 Wallace shared that he has accepted another position within the Department of Ecology and that the
9 next meeting will be his last. Wallace has enjoyed working with the Board and working with Forest
10 Practice for the past 15 years.

11

12 McElroy indicated that the Board will be updated about forest practices legal appeals once a case is
13 resolved.

14

15 **MOTION:** McElroy moved to adjourn the meeting.

16 **SECONDED:** Toby Murray

17 **ACTION:** Motion approved unanimously.

18

19 The Board adjourned the regular session at 1 p.m. The next regular quarterly meeting is scheduled
20 for February 13, 2002.