



WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands

Determination of Significance and Request for Comments on Scope of Environmental Impact Statement for the Development of a Forest Land Plan for the Olympic Experimental State Forest

Date:

Thursday, August 2, 2007

Description of proposal:

The Washington State Department of Natural Resources (DNR) is preparing a Forest Land Plan for the Olympic Experimental State Forest (OESF) planning unit, which includes state trust ownerships throughout western Jefferson and Clallam counties.

Through this forest land planning process, DNR will produce a set of forest management strategies to meet identified objectives in the OESF planning unit. The strategies, to be captured in the OESF Forest Land Plan, will help direct on-the-ground forest management activities to achieve implementation of the agency's 2006 *Policy for Sustainable Forests* (PSF), which includes the sustainable harvest level, and implementing the 1997 *Habitat Conservation Plan* (HCP). This forest land planning process will also integrate requirements of the March 2006 Settlement Agreement, which was established in response to *Washington Environmental Council et al v. Sutherland* lawsuit regarding the 2004 sustainable forest management of state trust lands in Western Washington and for determining the sustainable harvest level.

In the future, individual site-specific activities (i.e. construction projects, timber sales, aerial spraying, etc.) that implement the management strategies, may require additional review under the State Environmental Policy Act (SEPA).

History of the OESF:

In 1989, the Commission on Old Growth Alternatives – a broad-based citizen advisory group – recommended the creation of an experimental forest on state lands on the west side of the Olympic Peninsula. They saw the experimental forest as a place where DNR could develop solutions to meet the compatible goals of a 'working forest' that generated revenue while providing for the conservation of diverse species by scientifically applying different harvest and planning techniques. This original OESF vision has not changed. DNR is committed to creating a unique commercial forest where innovation is real; where knowledge is aggressively sought and applied; where creative ideas flourish; and long-standing problems are solved.

Purpose:

The purpose of this proposed action is to produce a plan that guides operational forest management activities that will effectively and efficiently meet DNR's stated outcomes from policies and other directives.

DNR manages forested state trust lands according to a number of policies and directives, including state and federal laws, Board of Natural Resources direction and formal resolutions, the PSF, and the HCP and its amendments. Though the timber volume, trust revenue, habitat, and social outcomes desired under these policies may be achieved without the aid of a formalized planning process, the ability to demonstrate the effectiveness and efficiency of cumulative management actions is improved.

The HCP commitment for landscape planning will be completed through this forest land planning process.

Need:

DNR must manage 264,000 acres of forested state trust lands in the OESF HCP planning unit. DNR must also implement management direction for forested state trust lands directed by the Board of Natural Resources, including the PSF; the contractual obligations (e.g., the HCP); the sustainable harvest level associated with the sustainable forest management direction adopted in 2004; and the *Addendum to the Final EIS on Alternatives for Sustainable Forest Management of State Trust Lands in Western Washington and for Determining the Sustainable Harvest Level* (June 2007).

There are increasing expectations for managers of forested state trust lands to balance varied public needs to support revenue production, fish and wildlife habitat requirements, and other social-cultural and environmental values. With greater expectations comes the increasingly complex task of managing these lands. Planning the administrative details associated with land management, including the balancing of multiple resource sensitivities over a forested landscape, and the timing and location of future activities and resource needs, is central to this proposal. In addition, the varied landscapes managed by DNR reveals the need for customized implementation strategies when applying policy-level directional guidance at the local level.

The purpose and need for this proposal are not intended to review or change DNR policy direction, or HCP objectives, strategies and commitments.

Objectives:

In order for an alternative to be considered in the OESF planning process, it must be consistent with the stated purpose and need as stated above. The following draft objectives for this planning process will be used to guide the development and evaluation of potential alternatives to help meet the purpose and need and other specific requirements listed in Attachment "A". These other specific requirements of DNR as a trust manager, the specific conservation objectives and contractual commitments required by the HCP, and the March 2006 Settlement Agreement will be met through this planning process.

- Apply all Board of Natural Resources and DNR resolutions, policies and procedures using the key principles of the trust mandate, within current budgetary and administrative constraints, and according to state and federal law, including the consideration of actions in support of local economic vitality for forest management activities when they are compatible with or directly support trust objectives;
- Generate trust revenue through the sale of the timber. The current target for the OESF HCP planning unit is to generate approximately \$144 million in gross revenue over a decade from the sales of approximately 576 million board feet of timber;
- Provide habitat conditions by landscape planning unit in accordance with the objectives of the HCP;
- Strive for an unzoned forest approach so that habitat conservation and timber and other commodity production are melded across the landscape, rather than separated into designated areas;
- Provide for management flexibility, professional judgment and creativity in achieving integrated conservation and commodity production across the landscape;
- Coordinate with the broader OESF visioning discussions on the six recommended management processes identified in the HCP on page IV.82 and consider strategies that are within the need, purpose and objectives of this OESF Forest Land Plan as recommendations become available;
- Establish a strategy or strategies that link the HCP objectives for research and monitoring to the OESF Forest Land Plan;
- Provide for management flexibility that enables adaptive management that is responsive to current and relevant best available science, to expert opinion, and to empirical and operational observations and experience gained from implementing the plan;
- Integrate relevant elements from earlier planning efforts into the OESF Forest Land Plan;
- Establish strategies that provide a long-term framework (greater than 10 years) that will withstand changes in short-term plans (less than or equal to 10 years);
- Comply with the March 2006 Settlement Agreement;
- Specify the forest management strategies that will best achieve the stated objectives at a landscape scale, while considering the logistical details of achieving desired outcomes in a given landscape, including timing, resources, and appropriate contingencies; and
- Reinforce open communication and transparency regarding DNR management activities.

Proponent:

Washington State Department of Natural Resources, Olympic Region

Location of proposal:

All forested state trust lands in the Olympic Experimental State Forest (OESF) planning unit, which includes state trust ownerships throughout western Jefferson and Clallam counties (see Attachment "B").

Lead agency:

Washington State Department of Natural Resources

Environmental impact statement required:

Consistent with RCW 43.21C.030(2)(c), an Environmental Impact Statement (EIS) will be prepared to analyze potential adverse impacts of this proposal.

Many impacts have already been reviewed in the *Final Environmental Impact Statement on Alternatives for Sustainable Forest Management of State Trust Lands in Western Washington and for Determining the Sustainable Harvest Level* (July 2004), the *Addendum to the Final EIS on Alternatives for Sustainable Forest Management of State Trust Lands in Western Washington and for Determining the Sustainable Harvest Level* (June 2007), and the *Final Environmental Impact Statement on the Policy for Sustainable Forests* (June 2006).

The lead agency has preliminarily identified the following areas for discussion in the environmental impact statement:

- Economic Performance: Reliable, sustainable revenue from leases and timber sales; and timber harvest amount and timing.
- Forest Ecosystem Health and Productivity: Unzoned forest approach to meld habitat conservation and commodity production; forest health; and riparian conservation.
- Social and Cultural Benefits: Public access and recreation; cultural resources; and local economic vitality.
- Implementation: Silvicultural practices/strategies; and research and monitoring.

Scoping:

SEPA is intended to inform agencies, applicants, and the public to encourage the development of environmentally sound proposals. Public agencies are required under SEPA to evaluate the potential negative environmental consequences of a proposal prior to decision making. SEPA applies to actions made at all levels of government within Washington State.

The environmental review process involves the identification and evaluation of adverse environmental impacts within the reasonable alternatives that can address the agency's specified purpose and need for the proposal. This information, along with other considerations, is used by agency decision makers when determining whether to move forward or change a proposal.

DNR wants to involve interested parties in the forest land planning process as early, and as frequently as possible. The SEPA process is designed to help facilitate this public involvement. Thus, agencies, affected Tribes, stakeholders, and members of the public are invited to comment on the scope of the EIS. Comments are encouraged to be submitted on potential alternatives for management strategies, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The deadline for submitting comments to DNR is Friday, August 31, 2007, by 5:00 PM.

Notice of public meetings:

- Tuesday, August 21, 2007, 6:00 PM: Washington State Department of Natural Resources, Olympic Region Conference Area, 411 Tillicum Lane, Forks, WA 98331.
- Wednesday, August 22, 2007, 6:00 PM: Clallam Transit System Center, 830 West Lauridsen Blvd., Port Angeles, WA 98363.
- Thursday, August 23, 2007, 6:00 PM: Washington State University, Jefferson County Extension, Spruce Room, 201 W Patison, Port Hadlock, WA 98339.

Comments should be submitted to:

Washington State Department of Natural Resources
SEPA Center
P.O. Box 47015
Olympia, WA 98504-7015
(360) 902-2117 Phone
(360) 902-1789 Facsimile
sepacenter@dnr.wa.gov

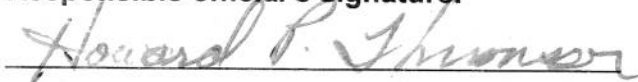
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Responsible official's signature:



Signature date:

Wednesday, August 1, 2007

Attachment “A”

Description:

This attachment outlines the legal requirements and contractual commitments that will be met through the OESF Forest Land Planning process.

Trust manager:

The Washington State Legislature has directed DNR to be the manager of state trust lands. In management of these lands, DNR follows many statutes, including those related to multiple use, sustained yield, and transfer of lands out of trust status.

The Board of Natural Resources’ direction to implement the sustainable harvest through innovative forest management activities can be used to create, develop, enhance or maintain forest biodiversity and health.

State law defines “sustained yield plans” as “management of the forest to provide harvesting on a continuing basis without major prolonged curtailment or cessation of harvest” (RCW 79.10.310). This is the fundamental mandate behind the “sustainable harvest level” that is the volume of timber scheduled for harvest during a planning decade. The most recent harvest level calculated was completed in June 2007 and approved by the Board of Natural Resources in July 2007.

In addition, DNR has been directed by the Legislature to implement “a multiple use concept ...in the management and administration of state-owned lands under the jurisdiction of the department where such a concept is in the best interests of the state and the general welfare thereof, and is consistent with the applicable trust provisions of the various lands involved” (RCW 79.10.100). “Multiple use” is further defined (RCW 79.10.110) to mean the management of lands “to provide for several uses simultaneously on a single tract and/or planned rotation of one or more uses on and between specific portions of the total ownership.” The law also states that “if such additional uses are not compatible with the financial obligations in the management of trust land they may be permitted only if there is compensation from such uses satisfying the financial obligations” (RCW 79.10.120).

The Federal Grant Lands were granted to the state in 1889 through the Enabling Act. These granted lands were expressly designated in the Act for the following purposes: support of the common schools; construction of public buildings for legislative, executive and judicial use; for a state university (University of Washington); the use and support of an agricultural college (Washington State University); the establishment and maintenance of a scientific school (Washington State University); for state normal schools (now regional universities); and for state charitable, educational, penal and reformatory institutions.

Lands granted to the state by the Federal government are held in trusts for the various designated beneficiaries. The Washington State Legislature has designated DNR as manager of these trust lands. In addition to specific direction from the Legislature through statute and guidance from the courts through case law, DNR follows the common law duties of a trustee including: undivided loyalty, manage trust assets prudently, guide the productivity of trust assets without unduly favoring present beneficiaries over future beneficiaries, a duty to reduce the risk of loss to the trusts, and to keep and render accounts.

Specific HCP conservation objectives:

Integrated Approach to Production and Conservation – Unzoned Forest:

- Within this general [integrated] approach, several conservation objectives can be identified for the Experimental Forest conservation strategies: (HCP, IV.81-82)
 - 1) To protect, maintain, and aid natural restoration of riparian systems on DNR-managed lands in the OESF, while promoting a long-term integration of resource use and conservation.
 - 2) To rely on the riparian strategy to provide the physical and biological foundation around which management activities and upland conservation strategies are constructed, recognizing the vital role of watersheds in supporting the web of life.

- 3) To look to natural disturbance regimes for the keys to understanding how to achieve restoration and maintenance of natural systems.
- 4) To learn to integrate older forest ecosystem values and their functions with commercial forest activities assuming, as a working hypothesis, that landscapes managed for a fairly even apportionment of forest cover among stands in all stages of development, from stand initiation to old growth will support desirable levels of both commodities and ecosystem functions.
- 5) To consider the spatial arrangement of habitat and other conservation values being provided on federal lands when developing habitat within the Experimental Forest.

Northern Spotted Owl:

- The conservation objectives for the northern spotted owl are to: Develop and implement land-management plans that do not appreciably reduce the chances for the survival and recovery of the northern spotted owl sub-population on the Olympic Peninsula. (HCP, IV.86)

Riparian:

- DNR-managed lands within the OESF shall be managed to: (HCP, IV.107)
 1. Maintain and aid restoration of the composition, structure, and function of aquatic, riparian, and associated wetland systems which support aquatic species, populations, and communities;
 2. Maintain and aid restoration of the physical integrity of stream channels and floodplains;
 3. Maintain and aid restoration of water to the quantity, quality, and timing with which these stream systems evolved (i.e., the natural disturbance regime of these systems);
 4. Maintain and aid restoration of the sediment regime in which these systems evolved;

Multispecies – Unlisted Species:

- To develop and implement land-management plans that do not appreciably reduce the likelihood of survival and recovery of unlisted species on the Olympic Peninsula. (HCP, IV.136)

Other specific HCP contractual commitments:

Marbled Murrelet Long-term Conservation Strategy:

- The commitments to the conservation of marbled murrelets will also be incorporated into landscape plans. (HCP, IV.91)

Conservation Strategy for the Northern Spotted Owl:

- The strategy is to be implemented in two phases, one of habitat restoration followed by one of maintaining and enhancing a mosaic of habitat that shifts over time as guided by analyses and plans for individual landscape planning units. (HCP, IV.87)
- Management for desired owl habitat conditions will be planned and implemented at the scale of landscape planning units. (HCP, IV.87)
- 1) At least 20% of DNR-managed lands in the landscape planning unit in the understory-reinitiation to old-growth stages that are potential old-forest habitat (after Hanson et al. 1993); and 2) At least 40% of DNR-managed lands in the landscape planning unit in the stem-exclusion to old-growth stages that are potential old-forest, sub-mature, or young-forest marginal spotted owl habitat types (Hanson et al. 1993), including any old-forest habitat described in 1 above. (HCP, IV.88)
- The currently proposed threshold proportions of potential spotted owl habitat are not intended to be targets for management; rather, they are minimum standards that reflect the current understanding of forest-ecosystem processes. The quantity and quality of potential spotted owl habitat will ultimately vary among landscape planning units with their physical and biological conditions and other management objectives for commodities and experimentation. (HCP, IV.88-89)
- Management of the Experimental Forest will be planned and implemented at the level of individual activities within the framework of specific plans for each landscape planning unit. These landscape plans will focus and direct the integration of ecosystem, commodity, and information goals. (HCP, IV.91)

- Harvest of currently suitable potential spotted owl habitat will be planned, scheduled, and implemented using the following guidelines as a filter to determine what is allowable: (HCP, IV.99)
 - 1) Harvest of young- or old-forest habitat will support riparian ecosystem and marbled murrelet conservation as set forth in other sections of this HCP.
 - 2) Harvest activities will maintain the proportion of old forest habitat at or above 20% of each landscape planning unit and will not further reduce sub-threshold proportions. In this phase, harvest activities in young-forest habitat may occur independent of the 40% threshold if consistent with other elements of the HCP.
 - 3) Plans for harvest of young- or old-forest habitat will recognize the importance of interior old-forest conditions to overall ecosystem function and will maintain or develop these conditions in accordance with landscape plans.
 - 4) Harvests of available young- and old-forest habitat will be evenly distributed over the duration of the restoration phase. Available habitat will be calculated for each landscape planning unit, and harvests of that habitat will be scheduled and conducted so that they are evenly distributed by decade over the duration of the restoration phase of the HCP.
 - 5) Harvests of available young- and old-forest habitat will be scheduled in consideration of the value of individual owl sites to conservation, research, and validation monitoring in the Experimental Forest. DNR will consider the recommendations of the U.S. Fish and Wildlife Service when scheduling these harvests during the first decade of the HCP.
 - 6) Harvests of available young- or old-forest habitat will take advantage of opportunities to learn new silvicultural techniques for retaining old-forest ecosystem functions, including those providing spotted owl habitat. This is an important conservation goal of the Experimental Forest, although not all harvests will necessarily be for research in silvicultural options.

- Habitat restoration will also proceed under landscape plans. Harvesting, silvicultural activities, and other activities (e.g., road building, maintenance, etc.) in areas that are not currently suitable habitat will be planned, scheduled, and implemented using the following guidelines as a filter to determine what is allowable: (HCP, IV.99)
 - 1) All activities will support riparian ecosystem and marbled murrelet conservation as set forth in other sections of this HCP.
 - 2) Activities will restore at least 20 percent cover of old-forest habitat to each landscape planning unit, including the development of some interior old-forest conditions.
 - 3) Harvests and other silvicultural activities in young (0- to 30-year-old) stands will promote development of young- or old-forest spotted owl habitat so that the restoration phase is expedited.
 - 4) Harvests and other silvicultural activities in young (0- to 30-year-old) stands will take advantage of opportunities to learn new silvicultural techniques for accelerating the development of old-forest ecosystem functions, including those providing spotted owl habitat. This is an important conservation goal of the OESF, although not all such activities will necessarily be for research in silvicultural options.

- The maintenance and enhancement phase of the HCP for the Experimental Forest covers the remainder of the permit period and follows the restoration of threshold amounts of total spotted owl habitat in each landscape planning unit. During this phase, some stands will continue developing the characteristics of old-forest habitat to meet conservation needs for riparian ecosystems, as well as possibly for marbled murrelets and spotted owls and for other ecosystem functions. Other stands will receive a variety of silvicultural treatments including clearcut harvests where appropriate, but total spotted owl habitat will make up at least 40% of each landscape planning unit. (HCP, IV.100)

- Forest stand management in the OESF will increasingly focus on retention of elements of existing stands to promote diversity within each stand and the development of owl habitat at earlier ages than might be achieved without such retention. (HCP, IV.104)

Riparian Conservation Strategy:

- The riparian conservation strategy for the OESF seeks to meet the stated objectives by establishing: (HCP, IV.108-109)
 - 1) Interior-core buffers on all stream types (although not on all streams – see discussion titled Interior-core Buffers regarding buffers for Type 5 streams);

- 2) Exterior wind buffers on all stream types (although not on all streams – see discussion titled Exterior Buffers regarding use of wind buffers);
 - 3) Comprehensive road-maintenance plans; and
 - 4) Protection of forested wetlands.
- Harvesting in interior-core buffers can occur, provided that management activities are consistent with the conservation objectives. The ability of management, conservation, and restoration activities to meet the conservation objectives will be evaluated through landscape-level assessments of the physical and biological conditions of riparian forests. (HCP, IV.109-110)
 - Each interior-core buffer will be designed to accommodate all channel, floodplain, and hillslope areas susceptible to mass wasting. (HCP, IV.111)
 - All Types 1 through 4 streams will be protected with interior-core buffers. (HCP, IV.111)
 - Management objectives in the Experimental Forest are to protect all Type 5 streams that cross unstable ground and occupy stable ground but have identifiable channels with evidence of water discharge or material transport. (HCP, IV.111)
 - As a starting hypothesis, the average width of exterior buffers will be 150 feet for Type 1 through 3 streams and 50 feet for Type 4 and 5 streams (Table IV.8), measured in horizontal distances laterally from the outer edge of the interior-core buffer on either side of the stream. (HCP, IV.112)
 - Exterior buffer widths will be applied to interior-core buffers through a standard procedure or an experimental approach as follows: Standard procedure: To achieve the objective of wind-firm riparian forest, wind buffers will be placed on all riparian segments for which stand wind-firmness cannot be documented by historical information, windthrow modeling) (e.g., Tang 1995), or other specific means. Thirty-three percent or less, by volume, of the riparian trees in the designated exterior buffer may be removed for commercial purposes (i.e., excluding pre-commercial thinning and restoration activities) per rotation, until research is available supporting more frequent entry...Exterior buffers within a landscape planning unit will not be harvested a second time until the conservation objectives of the riparian strategy are met in that landscape planning unit. (HCP, IV.117)

Comprehensive Road-Maintenance Plans:

- The objectives of a comprehensive road-maintenance plan are to: (HCP, IV.118)
 - 1) Ensure annual inventories of road conditions;
 - 2) Maintain existing roads to minimize drainage problems and stream sedimentation;
 - 3) Stabilize and close access to roads that no longer serve a management function or that cause intractable management or environmental problems;
 - 4) Assure sound construction of any new roads;
 - 5) Guarantee that additional new roads are built only where no other operationally or economically viable option exists for accessing management areas by existing roads or alternative harvest methods (e.g., full-suspension yarding);
 - 6) Minimize active road density;
 - 7) Prioritize roads for decommissioning, upgrading, and maintaining; and
 - 8) Identify fish blockages caused by stream crossings and prioritize their retrofitting or removal.

Protection of Forested Wetlands:

- The objective of forested-wetlands protection in the Experimental Forest is to maintain and aid natural restoration of wetland hydrologic processes and functions. (HCP, IV.119). The wetland strategy for the OESF seeks to achieve this objective by:
 - 1) retaining plant canopies and root systems that maintain adequate water transpiration and uptake processes;
 - 2) minimizing disturbance to natural surface and subsurface flow regimes; and
 - 3) ensuring stand regeneration.

- Forested wetlands larger than 0.25 acre and bogs larger than 0.1 acre will be protected with buffers and special management considerations. (HCP, IV.120)
- Series of smaller wetlands will be protected if they function collectively as a larger wetland. In addition to meeting the requirements stated in WAC 222-30-020(7) (WFPB Manual 1993a) nonforested wetlands will receive buffer protection consistent with the Riparian Conservation policy in the PSF. (HCP, IV.120)

Integration of Research and Monitoring:

- Watershed conditions will be monitored over time through: The monitoring strategy for the Experimental Forest, implemented through the landscape planning program or the proposed 12-step watershed-assessment procedure. (HCP, IV.121)

Implementing the Riparian Conservation Strategy:

- Landscape plans are the vehicle for implementing commodity production and conservation strategies in the OESF. Riparian buffers will serve as the foundation for landscape plans, around which forest management, conservation, and research activities will be designed. A primary objective of the Experimental Forest will be to support natural restorative processes of streams and streamside forests by whatever means necessary, so that riparian environments can recover sufficiently to sustain both commercial forest enterprises and healthy ecosystems. (HCP, IV.126)

Multispecies Conservation Strategy for Unlisted Species:

- Plant and animal species for which there is some concern about population viability and features on the landscape that serve important functions as habitat for those species will receive special attention. (HCP, IV.134)
- The unzoned spotted owl conservation strategy sets a minimum standard of at least 40 percent of each landscape in young-forest marginal (as defined by Hanson et al. 1993) or better quality habitat and at least half of this, or 20 percent of each landscape planning unit, in old forest (Hanson et al. 1993). (HCP, IV.138)
- Trees or snags known to be used by Vaux's swifts for nesting or roosting shall not be harvested, except as formal, experimental studies designed to address information needs related to integrating conservation and production or as other, exceptional circumstances warrant. (HCP, IV.141)
- Consistent with RCW 77.16.120, trees or snags that are known to contain active pileated woodpecker nests will not be harvested. In addition, trees or snags that are known to have been used by pileated woodpeckers for nesting will not be harvested. (HCP, IV.142)
- Talus fields, cliffs, and caves will be protected (as described in the discussion of uncommon habitats in Section F of this chapter titled Multispecies Conservation Strategy in the Five West-side Planning Units), and DNR will also protect very large old trees as described in that same section. (HCP, IV.142)
- Live trees or snags that are known to be used by myotis bat species as communal roosts or as maternal colonies shall not be harvested, except as formal, experimental studies designed to address information needs related to integrating conservation and production or as other, exceptional circumstances warrant. (HCP, IV.142)
- In the event that a cave is discovered, it will be protected as described in the discussion on uncommon habitats. (HCP, IV.143)
- DNR shall place restrictions in its contracts for sales of timber and other valuable materials, as well as in its grants of rights of way and easements, to prohibit activities within 0.5 mile of a known active fisher den site between February 1 and July 31 where such activities would appreciably reduce the likelihood of denning success. (HCP, IV.143)

March 2006 Settlement Agreement:

In March 2006, DNR reached a Settlement Agreement (SA) in the *Washington Environmental Council et al v. Sutherland* lawsuit that challenged the ten-year sustainable harvest calculation for 1.4 million acres of state forests in Western Washington. The agreement will terminate when the Board of Natural Resources approves a sustainable harvest calculation extending beyond Fiscal Year 2014, but no earlier than June 30, 2014, the end of the present planning decade, and all commitments terminate on that date unless otherwise specifically noted. The Agreement states the following:

- Subject to HCP Implementation Memorandum No. 1 (January 12, 1998), no “owl circle” management restrictions are superimposed on the OESF HCP planning unit. DNR will manage the OESF in accordance with the OESF conservation strategy in the HCP and the supplemental northern spotted owl conservation measures provided for in this Agreement. (SA, I.B.1, pg. 6)
- For the term of this Agreement, DNR will not authorize or conduct any harvest in “old forest” stands... (SA, I.B.2, pg. 6)
- DNR has identified from its inventory those stands that are not “old forest,” but that have the structural characteristics of sub-mature or young-forest marginal habitat (hereafter referred to as “Structural Habitat”)... (SA, I.B.3, pg. 6)
- The Department will proceed with forest land planning for the OESF Planning Unit, second in line behind the South Puget Planning Unit. The Sustainable Harvest Implementation Plan (“SHIP”) for the OESF will include all elements of the landscape planning process required by the HCP. Plaintiffs and Intervenors will be invited to participate in the forest land planning process for the OESF along with other interested parties. (SA, I.B.4, pg. 6)
- DNR will impose a planning goal in the forest land planning process, along with other planning goals, to retain all old forest and Structural Habitat for the duration of this Agreement. (SA, I.B.5, pg. 6)
- Prior to adoption of the SHIP for the OESF by the Lands Steward, DNR will not conduct any regeneration harvest in Structural Habitat. Any regeneration harvest will be confined to stands that are not Structural Habitat. Any other management activity in Structural Habitat will sustain or improve habitat quality. Pending adoption of the SHIP for the OESF, the amount of regeneration harvest in stands over age 50 that are not Structural Habitat will be subject to the acreage limits in the OESF’s interim HCP implementation procedure for northern spotted owls (PR-HCP-021(e), June 1997). (SA, I.B.6, pg. 6)
- Following adoption of the SHIP for the OESF, except for “old forest”...stands that are over age 50 will be managed subject to the SHIP and the OESF conservation strategy in the HCP, but are otherwise available for the full range of DNR silvicultural activities. (SA, I.B.7, pg. 6)
- Stands that are younger than age 50 that are not Structural Habitat will be managed subject to the OESF conservation strategy in the HCP, but are otherwise available for the full range of DNR silvicultural activities. (SA, I.B.8, pg. 7)
- In Structural Habitat and non-habitat, enhancement activities will be performed to meet OESF landscape level habitat targets. DNR agrees to perform at least the same number of acres of enhancement activities as regeneration harvests, measured across the entire OESF during the entire period of the Agreement. For purposes of this provision, “enhancement activities” includes commercial thinning, variable density thinning, variable retention harvests...and partial harvests. (SA, I.B.9, pg. 7)
- Consistent with economic and operational constraints, DNR will concentrate enhancement activities in areas where they will have the greatest habitat benefit, and will make substantial progress towards the habitat enhancement goals presented to the Board of Natural Resources. DNR will prioritize the “best” stands for enhancement based on the anticipated response to treatment, as determined by DNR. DNR will base stand prioritization decisions primarily on whether volume (biomass) is increasing more than mortality, as measured by, for example, live crown and height to diameter ratios, and ring count per inch. The Department will also consider the number of legacy trees present in the stand, the diversity of tree species

in the stand, potential mass wasting areas, access for roads, market conditions, and the locations of suitable habitat and other prioritized stands within the landscape. DNR will also consider opportunities for decadence creation within stands that are deficient in down woody debris or snags. (SA, I.B.10, pg. 7)

- DNR will set up demonstration projects in the OESF testing Dr. Andrew Carey's biodiversity pathways treatment principles, which are replicated in several areas and demonstrate the application of different scales of openings, scale of variation and overstory retention on forest management units at a stand level. The demonstration projects will be established with a peer reviewed scientific design intended to replicate the same two or three variations of the same types of stands. These demonstration projects will be developed and implemented as part of the OESF SHIP during the term of this Agreement. (SA, II.A, pg. 10)
- Plaintiffs will not challenge the SHIP for the OESF, or any timber sale implementing the SHIP for the OESF, based on impacts to the spotted owl, provided that the SHIP attains the spotted owl planning goal of preserving all old forest and Structural Habitat in each landscape planning unit...for the duration of this Agreement. During the term of this Agreement, any future challenge to the OESF SHIP, or a timber sale implementing the SHIP, based on impacts to the spotted owl will be limited to the non-attainment of the goal of retention of all old forest and Structural Habitat. (SA, V.F, pg. 12)

Attachment "B"

OESF Habitat Conservation Plan Planning Unit



Landscapes Within the OESF Habitat Conservation Plan Planning Unit

