Final Draft
May 6, 2010

Charter
Road Policy
Work Group

Introduction:

Forests and Fish has four goals:

1) To provide compliance with the Endangered Species Act for aquatic and riparian dependent species on non-Federal forestlands;
2) To restore and maintain riparian habitat on non-Federal forestlands to support a harvestable supply of fish;
3) To meet the requirements of the Clean Water Act for water quality on non-Federal forestlands; and
4) To keep the timber industry economically viable in the state of Washington.

The Forest Practices HCP shares these goals as they relate to the regulation of forest practices on non-Federal and non-tribal forestlands. One of the primary focus areas for achieving these goals is road maintenance and abandonment planning (RMAP). The HCP's goal is to protect and enhance public resources by bringing forest roads up to current standards (or abandon roads) and correct all known fish passage barriers by 2016.

While progress has and continues to be made towards fully achieving these goals, the economic down turn has substantially affected forest landowners in Washington. Log prices hit a 40 year low in mid 2009, and although some improvement has occurred in the last nine months the economic situation remains very challenging for forest landowners. Road improvement and fish passage barrier replacement work under RMAP requires a significant annual financial outlay. Due to low timber prices and the related low harvest rate, cash flow from timber operations is not adequate to maintain road improvement and fish passage barrier replacement work at the current level. Many forest landowners have done a good job to date of meeting the obligation to complete RMAP work by 2016, and many have pursued the "worst first" approach to addressing the problem. However, given the economic condition of the industry, landowners are seeking a schedule adjustment without reducing the legal commitment to complete road improvements necessary to protect and restore water quality and fish habitat. Policy has been asked by the state and landowner interests to consider making a recommendation to the Forest Practices Board (FPB) for a schedule adjustment of the time period for completion of RMAPs, or other alternatives to address the economic conditions described above.

Road Policy Work Group Membership:

Stephen Bernath (ECY) co-chair
Tom Robinson (WSAC) co-chair
Ken Berg (USFWS)
Darin Cramer (DNR)
Chase Davis, (UCUT)
Mark Doumit (WFPA)
Pete Heide (WFPA)

John Mankowski (GOV)
Miguel Perez-Gibson (Conservation Caucus)
Bob Turner (NOAA)
David Whipple (DFW)
Jim Peters (NWIFC)
Jim Hotvedt (AMPA)

Jim Waldo and GTH Staff – Facilitators

Staff Group Membership:

Marty Acker (NOAA)
Pete Heide (WFPA) co - lead
Mark Hicks (Ecology) co - lead
Nancy Sturhan (NWIFC)
Chris Mendoza (Conservation Caucus)
DNR & DFW will not be represented but will be available for timely review and input of products

Purpose(s):

Policy work group is to develop a proposal for consideration by the F&F Policy Committee. This proposal would be in the form of a proposed recommendation to the FPB relative to a possible rule change to adjust the schedule for completing RMAP work, or other alternatives to address the economic conditions described above, resulting in reducing the annual cost of compliance while ensuring that significant work continues. The recommendation should not propose a change to the fundamental objective of recovering fish habitat on forestlands and maintaining Clean Water Act and Endangered Species Act assurances. In developing a proposal the Policy work group will consider existing data on RMAP progress to date; what a new schedule would achieve; and how a longer schedule for completion of road improvements may affect the four goals of FFR, progress on worst first, etc. This analysis should describe how other forest practice rules will protect public resources during this period of time. In order to be successful, the workgroup will need to prepare the necessary materials for this recommendation to go through the adaptive management process.

The workgroup will strive to constructively re-engage small forestland owners.

The workgroup will protect the "Washington Way" of doing business on forest road issues and CWA compliance, and protect and implement the HCP. We will keep these activities separate from the culvert case and other legal issues in play, and avoid jeopardizing funding for USFS roads and culverts.

Deliverables:

1. A briefing paper describing a three pronged approach in priority order:

    a. Develop a proposal to address the economic conditions described above. The staff group will be given direction to collect background data needed to document

progress to date (see memo: Initial Staff Group Assignments). The Policy workgroup will draft the adaptive management proposal.

b. Pursue funding for small forest landowners (FFFPP), counties and potentially large landowners for fish passage improvements. Explore the need and possibility of securing low interest loans for large landowners as an incentive to meet the RMAP timeline sooner.
c. Under direction from the Policy workgroup, the staff group will develop and collect current information on small landowner road compliance and develop a method for assessing progress. The Policy workgroup will analyze progress to date, and if necessary, develop and suggest a change in strategy to appropriate entities.

Group Process, Reporting and Support:

- Cause information from existing data to be assembled and summarized as a basis for making an informed decision by the Policy Committee.
- Follow the FFR and Adaptive Management Program ground rules.
- Take advantage of support offered by the participating caucuses;
- Come to decisions on a timely basis;
- Meet with sufficient frequency to accomplish the deliverables;
- Report to the full Policy Committee at the April, May and June meetings.

Timeline:

The timelines will be a function of the time required to assemble and summarize the information required to make an informed decision (probably completed by the end of April) and develop a proposal for consideration (probably in May). A more detailed schedule for work assignments, meeting schedule, and decision schedule should be completed in April.