

1 **FOREST PRACTICES BOARD**

2 May 8, 2002

3 John L. O'Brien Building, Hearing Room C
4 Olympia, Washington

5
6 **Members Present:**

- 7 Doug Sutherland, Chair of the Board
- 8 Fran Abel, General Public Member
- 9 Lloyd Anderson, General Public Member/Independent Logging Contractor
- 10 Bob Kelly, General Public Member
- 11 Tom Laurie, 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 John Mankowski, Designee for Director, Department of Fish and Wildlife

17
18 **Members Absent:**

- 19 Eric Johnson, Lewis County Council
- 20 Toby Murray, General Public Member

21
22 **Staff:** Lenny Young, Patricia Anderson, Paddy O'Brien and Josh Brown

23
24 **CALL TO ORDER AND INTRODUCTIONS**

25
26 Doug Sutherland called the meeting to order at 9 a.m. He announced that Debora Brown Mungia
27 has accepted a new position as the Federal Assurances Manager.

28
29 **APPROVAL OF FEBRUARY 13, 2002 MINUTES**

30
31 **MOTION:** Keith Johnson moved to approve the February 13, 2002 minutes.

32
33 **SECONDED:** Tom Laurie

34
35 **Board Discussion**

36 John Mankowski proposed a change to line 4 on page 9 to read as follows: "Mankowski stated
37 that the Board's policy on this issue, expressed in the adopted Forests and Fish rules, is that if a
38 landowner or company seeks an HCP or other Federal Endangered Species Act permit, then it
39 should involve the state and tribal interests."

40
41 **ACTION:** Amendment accepted by the Board.

42
43 **ACTION:** Minutes approved unanimously as amended.

1 **LEGISLATIVE REPORT**

2
3 Lenny Young provided an update on 2002 legislative activities that have the potential to impact
4 the Division. The following bills passed and will become effective June 13, 2002:

5 HB 2311, an act relating to small forest landowners.

6 HB 2399, the Division's only request legislation relating to Class IV general forest
7 practices.

8 HB 2570 extends the date for the state to receive Federal Endangered Species Act
9 assurances.

10 HB 2809 related to forest pesticide application.

11 SB 6241 related to Christmas trees.

12 SB 6400 related to biodiversity conservation.

13 HB 2671 related to establishing a permit assistance center.

14 Two bills that did not pass were SB 6306 related to cultural resources with respect to forest
15 practices, and SB 6727 requiring the Department of Fish and Wildlife to prohibit activities that
16 harm or disturb salmon spawning beds during egg incubation periods.

17
18 **BUDGET UPDATE**

19
20 Lenny Young briefed the board on the Forest Practices Division budget. (See Attachment A for
21 a copy of Young's presentation.)

22
23 Judy Turpin asked how compliance monitoring would be affected. Young stated compliance
24 monitoring is being looked at in the Forests and Fish Policy Group. Options are to adjust our
25 expenditure of the federal funding that comes through the Interagency Committee on Outdoor
26 Recreation, or do less in some areas we originally intended to spend money on, and get the
27 compliance monitoring up and going. Right now, adjustments are being looked at to try to
28 elevate compliance monitoring on the list of priorities.

29
30 **FEDERAL ASSURANCES**

31
32 Debora Brown Munguia provided an update on the Federal Assurances project. The Department
33 is moving forward in working with federal agencies to gain the federal assurances contemplated
34 during negotiations of the Forests and Fish Report.

35
36 **FOREST PRACTICES APPLICATION REVIEW SYSTEM (FPARS)**

37
38 Steve Harmon stated that staff has gone through numerous rounds of program testing, which
39 should be finished with testing within the next two weeks. Implementation and training of staff
40 will take place during the summer, and FPARS will be online sometime between October and
41 December.

42
43 Judy Turpin asked whether it will be platform-specific or can it be used with a PC or Mac?
44 Harmon responded that it would be platform-independent over the internet. The Department has
45 developed a couple specific browsers but the product is just an image of a JPEG file or an Adobe
46 PDF file, so it is platform-independent.

1
2 John Mankowski asked whether paper copies of FPAs would still be available for those who do
3 not have internet access. Harmon said the original concept was to do away with paper copies in
4 the mail. Region offices will be able to assist individuals with the information needed whether it
5 is an application packet or an application for review.
6

7 As follow up to Mankowski's question, Tom Laurie asked what the shortest turn around time
8 would be for individuals to review applications. Harmon responded five days - theoretically, the
9 application would be available that evening however, there is no way of accessing it, short of
10 knowing the exact forest practices application number. Laurie asked whether individuals would
11 be able to designate areas of interest for applications and receive an email notification. Harmon
12 answered yes.
13

14 Lenny Young shared that there is an implementation concern being worked on that is not a
15 technology issue. The concern, brought to our attention by several people including
16 Representative Orcutt, revolves around the possibility of individuals with malicious intent
17 anonymously accessing FPARS via the internet and finding out where forest practices activities
18 are planned. The Division needs to fully understand and resolve the issues before FPARS is
19 deployed. The solution must balance our responsibilities under the Public Disclosure Act and
20 the purpose of the electronic application system.
21

22 Laurie asked how long it takes to download a 12-page forest practices application at normal speed
23 during this stage of development. Harmon answered probably a couple of minutes. Two forms
24 are being provided for access. One is individual pages of the application as JPEG files, which
25 are compressed graphic images, and the applicant can select files to view or download. The
26 second option is a PDF format, which is the entire application as a PDF file. There are pros and
27 cons to both formats. The PDF will take significantly longer because the user would have move
28 through everything. The JPEG files are individual files, downloadable one at a time. We are
29 "pushing the envelope" on the technology we have available to us and we will be providing both
30 options.
31

32 **SLOPE STABILITY**

33

34 Laura Vaugeois gave a presentation on model slope stability screen. (See Attachment B for a
35 copy of Vaugeois' presentation.)
36

37 **Board Discussion**

38 Tom Laurie asked if the model identifies areas that have not failed or are not likely to fail from
39 ground inspection. Vaugeois responded yes, models by nature are over-predictive because they
40 are time insensitive.
41

42 Keith Johnson asked what some of the problems and solutions are. Vaugeois answered the
43 original study was done back in 1998, and several more models have since been developed. The
44 intent is to compare how the various models work and use the best model for a particular area.
45 The goal is to create a screen that has a high capture rate but the lowest amount of area in a
46 higher/moderate category that maintains that high capture rate. We want to ensure that all the

1 unstable slopes are being captured, so that people do take a look, but we don't want to
2 unnecessarily burden the forest practices foresters with looking everywhere for slope stability
3 concerns.

4
5 Laurie asked if the information is useful to counties. Vaugeois responded that many of the
6 counties of western Washington already have a copy of this data set.

7
8 John Mankowski added that while unstable slopes can be identified, the model does not replace
9 the need for identifying how the unstable slopes could impact fish. This is very important to the
10 tribal caucus, to WDFW and others. It is great to see the progress that DNR is making.

11 12 **PUBLIC COMMENT**

13
14 Bob Playfair, newly elected president of Washington Farm Forestry Association (WFFA), stated
15 that he would be encouraging landowners to use the alternate plan process. Even though it is
16 expensive and it takes time to do it, it is the only way harvest templates can be established, which
17 will reduce costs for everyone. WFFA will also continue to work on ensuring that family forests
18 stay economical and viable. He presented two resolutions from the annual meeting: a policy
19 statement for WFFA concerning the RMAPs process, and the association's continued support of
20 the Forest Practices Board.

21
22 Lloyd Hedglin, a small forest landowner, commented on stream temperatures and silt. He said
23 that he thinks that the Governor, legislators, Commissioner Sutherland and the Board should
24 look at these issues when looking at ethics. Just recently, he said, he received information from
25 the Department of Fish and Wildlife (WDFW) about a new fish marking process that would
26 speed up the process and mark a lot more of the fish. Hedglin believed that this meant that
27 WDFW had not been marking the fish in the past. In that case, one cannot tell the difference
28 between a hatchery fish and a wild fish, and there is something completely wrong with that
29 system. It is important, he said, that the Board reflect on the true ethics of the laws that the
30 Board is here to enforce.

31
32 Nels Hanson, small forest landowner and officer in WFFA, commented that landslides are an
33 important geological process for creating and maintaining fish habitat. He also commented that
34 alternate plans could be repeated on many small forest acreages. It might be called a frequently
35 occurring situation, where some template or rule modification could apply to all similar
36 situations.

37
38 On another issue, Hanson said that if stream typing continues in the direction it is headed, the
39 Board will have a bigger and hotter issue to deal with. Small landowners, who are located on the
40 lowlands and flatlands, are on streams vastly different than streams in the plans for most of the
41 modeling, which seems to be the focus. Many of the landowners are very disillusioned with the
42 progress being made, particularly in alternate plans. He hopes that the Joint Policy Technical
43 Task Force can hasten the process to show that there will be better methods and less costly ways
44 for small forest landowners to protect fish and be equally as protective as the rules.

1 Mankowski expressed appreciation of the comments from Hanson about the Board responding to
2 the alternate plan issue. WDFW and other agencies have been working diligently to figure out a
3 way that small forest landowners can get alternate plans approved, but also to ensure a viable
4 scientific basis. Hanson said that getting plans approved is not the issue. It is the fact that there
5 is not even one with similar situations that we can use to say that this particular template or
6 variation on the rule can fit any landowner. Mankowski said that it is reasonable to expect that a
7 certain amount of time has to go by before templates are available. When landowners start to
8 address the same questions, and our biologists give similar answers to the questions, we can
9 move to templates. It seems premature to expect templates at this stage, and maybe the gauge
10 for success is making sure we are performing well in reviewing the number of alternate plans
11 that we are able to approve. Doug Sutherland asked that an update from the Joint Policy
12 Technical Task Force be placed on the next regular meeting agenda.

13
14 Joseph Pavel, NWIFC, stated that RMAP requirements are a hardship for some landowners, but
15 some of the figures showing \$375 million and 91,000 affected landowners are questionable.
16 That is 377 feet per landowner and \$275 dollars per year per landowner. He said he also
17 questioned the SBEIS estimate of \$1,200 per mile to bring roads up to the FFR standards and
18 \$35,000 per culvert. He said he recognizes the hardship for some people, but for many there will
19 be minimal impact, and cautioned to keep things in prospective and get the best possible
20 information. Tribes would like to work locally in their watersheds and are willing and able to
21 provide assistance if and when possible. The Forests and Fish stakeholders have all committed
22 to try and identify resources and make them available to small landowners. There are a number
23 of solutions and people working on them.

24
25 Peter Goldman, Washington Forest Law Center (WFLC), presented information on a Forest
26 Practices Appeals Board decision on a Channel Migration Zone (CMZ) appeal. (See Attachment
27 C for a copy of Goldman's presentation.) Keith Johnson asked Goldman if he would take the
28 next step by coming up with suggested manual changes for the Board to consider. Goldman
29 replied that after the case was decided he offered to convene a panel of agency staff and
30 landowners to meet with Robert Bilby of the Weyerhaeuser Company, (who had worked for the
31 National Marine Fisheries Services and helped design some of the channel migration zone) to
32 address vertical bed movement of rivers. Goldman requested that the Board's next meeting
33 agenda include a discussion on whether the Board's manual correctly reflects the Forests and
34 Fish Report and for the Board to respond to the Forest Practices Appeals Board ruling.

35
36 Alan Soicher read a comment on behalf of David Heflick of the Kettle Range Conservation
37 Group. (See Attachment D for a copy of Heflick's letter.)

38
39 **CMER**

40
41 Geoff McNaughton requested approval to replace Dan Pomerenk with Larry Dominguez as a
42 CMER committee member.

43
44 **MOTION:** Judy Turpin moved to accept Larry Dominguez as recommended by the
45 Department to serve on the CMER committee.

1 **SECONDED:** John Mankowski

2
3 **ACTION:** Motion approved unanimously.

4
5 **Board Discussion**

6 Judy Turpin asked what CMER's role is in economic review. McNaughton responded that
7 CMER discussed the question of whether CMER should be involved in economics as a science
8 just like fisheries biology, for instance, rather than some other entity to do scientific economic
9 analysis for a policy decision.

10
11 Turpin also asked whether the CMER handbook would come before the Board for discussion and
12 review, now that CMER is instituted as a formal entity. McNaughton answered yes.

13
14 Tom Laurie asked to receive a description of each project, rule implications of each, priority of
15 the projects, and a prioritized list of new projects. McNaughton agreed to provide that.

16
17 **RULE MAKING SALVAGE OF LOGGING RESIDUE**

18
19 Kim Sellers requested that the Board accept for public review an amendment to chapter 222-16-
20 WAC pertaining to salvage of logging residue. This amendment corrects a typographical error.

21
22 **MOTION:** Tom Laurie moved that the Forest Practices Board accept for public
23 review the permanent rule proposal as presented today for chapter 222-16-
24 050 pertaining to salvage of logging residue under the definition of class
25 two forest practices and that staff file the CR102 with the Code Reviser's
26 office to begin the permanent rule making process.

27
28 **SECONDED:** John Mankowski

29
30 **ACTION:** Motion approved unanimously.

31
32 **MOTION:** John Mankowski moved that the Forest Practices Board direct staff to file
33 with the Code Reviser an extension of the emergency rule for chapter 222-
34 16-050 by June 20, 2002 to allow time to complete the permanent rule
35 making process.

36
37 **SECONDED:** Judy Turpin seconded.

38
39 **Board Discussion**

40 Doug Sutherland asked whether the motion for an extension allows for enough time to complete
41 the permanent rule process. Sellers responded that emergency rule is good for 180 days, which
42 will be an adequate amount of time to complete the process.

43
44 **ACTION:** Motion approved unanimously.

1 **SEPA WILDLIFE GUIDELINES RULE**

2
3 Ashley DeMoss presented a proposed SEPA Wildlife Guidelines rule amendment. The proposed
4 addition to chapter 222-10 WAC would provide that existing SEPA guidelines for threatened and
5 endangered species do not apply to forest practice activities consistent with a wildlife
6 conservation agreement listed in WAC 222-16-080.

7
8 She explained that the next steps for the Board would be to approve the draft Cost Benefit
9 Analysis (CBA) and consider adoption of the proposed rule. If adopted the Board should direct
10 staff to file a CR103. The rule would become effective 31 days after filing with Code Revisers
11 Office.

12
13 The CBA was completed in accordance with the Administrative Procedures Act. It concluded
14 that probable benefits of the proposed rule exceed probable costs. Since the proposed rule
15 entirely avoids the current regulatory need for duplication of assessments, it is less burdensome
16 than alternatives requiring only partial removal of duplicate assessments and mitigation, and is
17 therefore the least burdensome alternative.

18
19 A SEPA checklist was prepared to identify any potential environmental impacts associated with
20 the rule. The Commissioner of Public Lands, as the Board's designated SEPA official, made a
21 threshold determination of "Determination of Non-significance".

22
23 As part of the public participation processes, a public hearing was held in Olympia on March 26,
24 2002. Eleven comment letters were received in total, seven in favor of the proposed rule, three
25 opposed, and one in support of high quality, thorough environmental review processes and
26 documents.

27
28 When the CR102 was filed, an administrative error was made. Incorrect language was attached
29 to the filing. This error was immediately identified and corrected by mailing out the correct
30 language proposed by the Board. The rule language proposed for adoption today is the rule
31 language that was negotiated by interested stakeholders, which is the same language the Board
32 considered and approved at the February 13, 2002 Board meeting. The difference between the
33 language filed with the Code Reviser's Office and the language proposed by the Board is not
34 substantially different. Therefore, staff does not believe that the Board needs to direct that a new
35 CR102 be filed.

36
37 **MOTION:** Lee Faulconer moved that the Forest Practices Board adopt the proposed
38 permanent rule for Chapter 222-10 WAC, SEPA Wildlife Guidance as
39 presented today and direct staff to file the CR103 with the Code Reviser
40 and further allow staff the authority to correct any typographical errors if
41 needed.

42
43 **SECONDED:** Tom Laurie

44
45 **MOTION:** Judy Turpin moved to amend the language by deleting "the Endangered
46 Species Act 16 USC section 15-31 et seq."

47
48 **SECONDED:** Tom Laurie

1 **Board Discussion**

2 Judy Turpin said one of the goals of this rule amendment is to make the language consistent with
3 the WAC 222-16-080(6). In that section there are two different circumstances, one in which the
4 documents have had NEPA review and public comment, and the other in which there had been
5 SEPA review with public comment. In Chapter 222-10 we are adding, “the Endangered Species
6 Act (ESA) 16 USC section 1531 et seq.” If you are doing an HCP because of the ESA, you fall
7 under NEPA unless there is an exemption. Normally, those processes go through NEPA. Under
8 ESA, you do not have an environmental review but you may have an opportunity for public
9 comment when the action appears in the Federal Register. By removing the language, this would
10 avoid an unknown loophole that did not really meet the Board’s objective of not duplicating an
11 environmental review that did have public comment.

12
13 John Mankowski supported the amendment to the motion and believes the language is designed
14 to bring policy alignment to the current WAC. In 222-16-080 (6), we said that as long as your
15 wildlife plan, HCP or Incidental Take Agreement has gone through one round of federal or state
16 environmental review that is enough. Deleting the language does that and it is appropriate.
17 Mankowski also agreed this may eliminate potential confusion about what this WAC will do.

18
19 Lenny Young said he did not see any particular difficulty with removing it, and it is correct that
20 the intent is to harmonize Chapters 222-10 and 222-16.

21
22 **ACTION:** Motion to amend approved unanimously.

23
24 **ACTION:** Motion with amendment approved unanimously.

25
26 Doug Sutherland stated that Robin Pollard had a prior commitment for the afternoon and asked
27 her if it someone else could fill in for her. Pollard said that Karin Burcholtz, Rural Policy
28 Coordinator for the Office of Trade and Economic Development, would fill in for the afternoon.

29
30 **SMALL FOREST LANDOWNER UPDATE**

31
32 John Mankowski explained that the Board created the Small Forest Landowner Committee and
33 appointed the Joint Policy Technical Advisory Group to the Board. These committees have been
34 working very closely with the Small Forest Landowner Office. A substantial amount of progress
35 has been made in regards to alternate plans. The committees have conducted a series of field
36 trips to allow people in policy and technical arenas to see examples of how the rules have
37 affected the small, non-industrial landowners. There’s been progress in helping to develop a
38 streamlined process for landowners to secure alternate plans, and we’re willing to make a
39 number of changes to make sure things work out for them.

40
41 Steve Stinson presented a status report from the Small Forest Landowner Office. (See
42 Attachment E for a copy of Stinson’s presentation.)

43
44 Doug Sutherland asked whether there is consensus on a definition of “small forest landowner”.
45 Stinson answered that the harvest definition probably has the most utility, that is, people that
46 harvest less than two million board feet qualify as small landowners. It allows us to categorize

1 landowners based on impact on the land as opposed to the acreages they own. Currently, there
2 are three definitions in state statute and one in federal statute for small forest landowners. We
3 intend on using the two-million-board-feet definition for the database.
4

5 Judy Turpin said that when the \$3.75 million amount was put into the capital account, there was
6 not a good prediction on how many people were going to use this opportunity. She asked if
7 better numbers could be provided now and what percentage of the small forest landowners would
8 be interested in participating. Stinson responded that an estimate of the total value of the Forest
9 Riparian Easement Program with the 2002 stumpage values – that is, if all 40,000 landowners
10 decided to sign up for the easement program this year – would be around \$250 million. And
11 once the timber prices go up, the potential interest of the program is likely to increase.
12

13 Mankowski added that one of the work plan items for the Joint Technical Policy Task Force is to
14 make the alternate plans work and to streamline the easement program and the RMAP issue
15 which we will hear more about soon. The Joint Technical Policy Task Force has a lot of work
16 left to do. Mankowski expressed appreciation for the Policy attention and the partnerships that
17 have been built among the constituents.
18

19 **SMALL FOREST LANDOWNER ROAD MAINTENANCE AND ABANDONMENT** 20 **PLANS (RMAP)** 21

22 Doug Sutherland explained that he was invited to Omak to talk to constituents about their
23 concerns about RMAPs. During the adoption of the permanent and emergency rules in 1999, the
24 RMAP issue was one of the most important for the negotiators to resolve - how to deal with the
25 imposition of the Environmental Protection Agency and designation of fish as an endangered
26 species. All of this culminated in rules that require people to look at how they deal with roads,
27 culverts, road building, maintenance, and abandonment standards. Depending on the size of
28 properties, and depending on which interpretation of “small landowner” is used, there are
29 probably more small forest landowners in Okanogan County than there are in many counties
30 across the state.
31

32 Upon implementation of the rules, Northeast Region looked at the number of landowners with
33 less or more than 500 acres. The Region realized that they needed to pay attention to the
34 landowners that owned more 500 acres. The effort was to educate, alert, and work with those
35 larger landowners. The Region began meeting with groups of people in each of the counties to
36 discuss RMAPs. The meeting that was scheduled in Okanogan County, which had virtually no
37 response, was canceled. The Region decided to send another letter to notify landowners that, as
38 of December 31, 2001, those who own more than 500 acres needed to have at least 20% of their
39 RMAPs in place. Those owning less than 500 acres were notified that in order to make a forest
40 practice application, a plan was needed at the time the application was submitted. The Region
41 wanted to alert landowners that new regulations were in place and landowners needed to comply.
42 Landowners that received this letter felt that the letter was harsh, too direct and questioned why
43 state government would involve themselves in how landowners manage their lands.
44

45 Participants of the Omak meeting had several requests, including a request to continue working
46 with landowners and other stakeholders to figure out the right definitions and how are we going

1 to deal with the concerns. Many of the Okanogan County landowners have been severely
2 impacted by regulations over the years, and many of them are at a point where they are saying,
3 “We’re not going to comply - are you going to put us in jail?” Through internal discussions, and
4 discussion with those who were involved in the negotiations, there is a realization that in some
5 instances this was an issue with property owners who did not have resources to be able to
6 comply, even though there is a time period of up to five years to put plans together and fifteen
7 years to complete the plans. The intent of the Forests and Fish rules is to benefit the public good
8 and many landowners feel that they should not have to bear the whole burden of something that
9 is for the public good. It is the Forest Practices Board’s responsibility to look at the RMAP rules
10 and regulations and to review whether there are ways to ease the financial burden of landowners.

11
12 Commissioner Sutherland invited Representatives Bob Sump and Cathy McMorris, and Senator
13 Bob Morton to join the Board’s discussion.

14
15 Representative Bob Sump commented that he is committed to making Forests & Fish work. He
16 referred to the meeting in Omak, saying that there was a very large crowd of very concerned
17 citizens, and that their legislators want to convey to the Board some possible solutions. On April
18 26, 2002, he said, they met with Governors Office staff, Commissioner Sutherland, other
19 legislators and Forests and Fish stakeholders. One of the legislators who was a sponsor of
20 Forests and Fish told the attendees that small landowners with 20 acres are exempt from the
21 RMAPs issue, which is not true. Landowners are exempt from the riparian easement but not
22 exempt from the RMAP portion. Everyone at the table said that RMAP is broken and we need
23 major work to fix it. The Forest Service, Department of Ecology, and Environmental Protection
24 Agency have a memorandum of agreement on Forest Service land stating that they implement
25 RMAP on Forest Service lands. Eighty six percent of the land in Ferry County is nontaxable
26 land--either tribal land or Forest Service land. Only 14% of the land is taxable, and most of that
27 owned by small property owners. Now government wants to enforce this regulation under the
28 current definitions that we have and the current regulations that we abide by.

29
30 Representative Cathy McMorris presented information about RMAPs. (Refer to Attachment F
31 for a copy of Representative McMorris’ presentation.)

32
33 Senator Bob Morton gave a presentation about RMAPs. (Refer to Attachment G for a copy of
34 Senator Morton’s presentation.)

35
36 Judy Turpin commented that House Bill 2091 allows the Board a very narrow ability to make
37 changes to the rules. Unlike most rulemaking, we are going to need more cooperation from the
38 legislature to make changes to the rules dealing with RMAPs. We need to be directed by the
39 statutory language.

40
41 Senator Morton replied that the rules do not need to address the whole state all at once. By
42 taking the western part of the state and addressing the salmon and the rainfall there, you will
43 have taken a major step in fulfilling the intent of the legislation. We would like to stay out of
44 court by working with the Board, in good faith, with funds available. We would like to see it
45 focused on the high rainfall and high salmon areas.

1 Doug Sutherland stated that in order to resolve the issues the Department will need to look at the
2 flexibility the Board has in changing the rules, what can be done administratively, and what the
3 legislature can do legislatively.

4
5 Lenny Young said that several efforts are already underway to address concerns related to
6 implementation of the Road Maintenance and Abandonment Plan requirements. The Department
7 is adjusting its compliance schedule to make sure that issues and concerns are well understood
8 and addressed to the extent possible, before proceeding with any enforcement action.

9 Meanwhile, the Department is working day-to-day to assist landowners who are ready and able
10 to develop and implement RMAPs. We are also assembling and distributing accurate
11 information about RMAPs and responding to questions in a timely manner. The Department has
12 convened an RMAP team led by Garry Gideon, Forest Practices Assistant Division Manager for
13 Operations. The team is meeting and working daily to ensure that everyone concerned with
14 RMAPs has the most accurate, current information possible. Most recently, the team
15 implemented a "Frequently Asked RMAP Questions" page on the website. Within the next few
16 days, the Forests & Fish Policy Group will receive a letter from the Governor and the
17 Commissioner of Public Lands, charging the Group to identify specific features of RMAPs that
18 are causing hardship for family forest owners, and to recommend actions possible to alleviate
19 this hardship while maintaining protection for aquatic resources. In anticipation of this charge,
20 the Forests & Fish Policy Group is convening a committee to work intensively on RMAP issues
21 over the next several months.

22
23 Young added that a major part of any package of solutions would be obtaining funding to help
24 family forest owners develop RMAPs and carry out road maintenance activities. Provisions of
25 the 2002 Farm Bill are encouraging in this regard. The Environmental Quality Incentives
26 Program (EQIP) in the bill's Conservation title has added private, non-industrial forest land to the
27 definition of lands eligible for assistance. Funding for EQIP will total \$9 billion through 2007.
28 Historically, Washington has received 2% of this funding. Therefore, speculatively, \$180
29 million (\$36 million per year) could be available to Washington for the EQIP program. The
30 department is working to access these funds on behalf of small forest landowners, and is actively
31 searching for additional funding sources. Progress to date includes more than 4,000 Road
32 Maintenance and Abandonment Plans completed and approved, covering more than 15,000 miles
33 of forest road. Ninety percent of these plans have been completed by small forest landowners.
34 In no way do these accomplishments minimize the hardship confronting many family forest
35 owners. Nevertheless, it is encouraging that substantial progress is being made to address forest
36 roads in the manner envisioned by the Forests & Fish Report.

37
38 Doug Sutherland asked that the Board schedule a special meeting in June to further discuss and
39 hear recommendations regarding RMAPS.

40
41 Representative Bob Sump closed with a reminder that even if federal dollars are received, roads
42 would still need to be maintained. A Section 3 road must be maintained at a level to sustain any
43 rock hauling or logging on the road throughout the year. That is a very high standard to be
44 maintained. And who is going to maintain the road on forest lands that might be harvested once
45 in a lifetime?

1 Representative Cathy McMorris said landowners need to know that there are solutions being
2 considered. There is a lot of pressure and momentum being built and civil unrest could happen
3 very soon unless landowners are convinced that there is going to be action by someone, whoever
4 it is.

5

6 **EXECUTIVE SESSION**

7

8 The Board began executive session at 2:30 p.m. and adjourned at 3:07 p.m.

9

10 **MOTION:** John Mankowski moved to adjourn the Board meeting.

11

12 **SECONDED:** Judy Turpin

13

14 **ACTION:** Motion approved unanimously.

15

16 Meeting adjourned at 3:08 p.m.