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COLLEGE OF FOREST RESOURCES

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March 10, 2008

The Honorable Patty Murray
United States Senate
173 Russell Senate Office Building
Washington DC 20515

Dear Senator Murray:

I am writing about what I view as an important initiative to the future of Washington's private forest land — the Family Forest Foundation Habitat Conservation Plan (FFHCP) that has been developed by folks in Lewis County. Specifically, I am concerned that this scientifically-credible plan is not being given a fair shake by the federal regulatory agencies, particularly NOAA Fisheries.

Washington State faces a great challenge in maintaining its 4.2 million acres of small private non-industrial forests. These lands often occupy critical low-elevation forests at the leading edge of urban sprawl and development. Unfortunately, current regulatory requirements are accelerating the conversion of our forest lands with major consequences for water quality, open space, and fish and wildlife habitat.

It has been clear to me for some time that the Fish-Forestry Agreement was crafted primarily with input from and consideration for impacts on industrial forest lands. I believe that small forest landowners were and are disproportionately impacted by the terms of the Fish-Forestry creating a significant incentive for small forest land owners to dispose of their lands or convert them to other uses. I would also note that the Fish-Forestry Agreement is not a scientific document but, rather, it is a negotiated social contract that was developed among stakeholders and regulators albeit with significant scientific input.

The FFHCP was developed in an effort to provide a scientifically credible alternative to the Fish-Forestry agreement, a process which is actually provided for in the agreement. It was developed over 10 years and at the cost of \$3 million dollars. Based on my personal review, the plan embodies a scientifically-sound approach to sustaining small forest woodland ownership in Washington while providing significant habitat protections for endangered species. Throughout its development, proponents subjected the plan to independent scientific review and engaged state and federal agency staffs collaboratively.

The FFHCP was submitted to the regional offices of NOAA Fisheries and the US Fish and Wildlife Service on September 4, 2007. Since then federal agencies have been unwilling to commit to an objective review of the plan or establish a timeline for moving it forward to the public comment process, where it can benefit from the review of those of us in the scientific and academic arenas.

On February 12 I joined a meeting attended by staff from federal and state agencies involved in review and approval of the FFHCP and the FFHCP applicants. I attended the meeting as a private

citizen and with no personal financial or professional interest in its outcome. I came away from this meeting believing that at least one of the federal agencies has no intention of moving forward with a good faith effort to resolve technical difficulties raised internally regarding the FFHCP. In fact, my impression was that the technical issues were largely a cover for an agency position to not entertain any alternatives to the guidelines in the fish-forestry guidelines for private landowners. Not even an alternative that had been crafted with as much investment of time and scientific credibility as FFHCP! And even though alternative arrangements have been made with other large forest landowners!

The FFHCP represents a good faith effort to begin reversing these trends. I believe it is a plan with solid scientific underpinnings that rightfully recognizes that riparian areas are better off under productive forest management than in urban land uses. Moreover, it is my professional opinion that in many ways the FFHCP is superior to current forest practice regulations, including its provisions related to management in riparian areas which will provide recruitable large woody debris in volumes and pieces equal or better to what was available in natural conditions

I believe it is time for all parties to commit to a resolution process for addressing any scientific disagreements that may remain so this important plan can move forward to the public review process. The public review process is the only mechanism that affords those of us outside of federal and state agencies an opportunity to have our expertise and scientific review heard. As a scientist, I find it disturbing that the federal government can simply decide not to allow a proposed HCP to be reviewed by independent scientists and the public.

I hope you will join me in supporting the need to move this plan into the public comment process where it can be fully vetted and debated by all interested parties. We owe it to ourselves and the thousands of family forestland owners across the state.

I appreciate this opportunity to share my thoughts and would be happy to discuss my perspective on the FFHCP with you further. In addition to mailing this letter, I will fax it to you.

Sincerely,



Jerry F. Franklin

Note: This letter has also been individual addressed and sent to
Congressman Brian Baird
Congressman Norm Dicks

cc: Governor Chris Gregoire