# Minutes Board of Natural Resources Meeting

April 6, 2021 "Webinar", Olympia, Washington

#### **BOARD MEMBERS PRESENT**

The Honorable Hilary Franz, Washington State Commissioner of Public Lands
The Honorable Bill Peach, Commissioner, Clallam County
The Honorable Chris Reykdal, Superintendent of Public Instruction
Jim Cahill, Designee for the Honorable Jay Inslee, Washington State Governor
Dan Brown, Director, School of Environmental and Forest Sciences, University of Washington
André-Denis Wright, Dean, College of Agricultural, Human, and Natural Resource Sciences,

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Chair Franz called the meeting to order at 9:06 AM.

5 6 WEBINAR FORMAT BRIEFING

Washington State University

Ms. Tami Kellogg provided an overview for participating in a Webinar meeting.

Board members introduced themselves. A meeting quorum was attained.

# APPROVAL OF MINUTES

- 10 Chair Franz called for approval of the minutes for the March 2, 2021 Regular Board of Natural Resources meeting.
- 1213 MOTION: Dean Wright moved to approve the minutes.
- 15 SECOND: Director Brown seconded the motion.16
- 17 ACTION: The motion carried unanimously.
- 19 LIGHTNING TALK
- Recreate Responsibly
   Leah Dobey, Assistant Division Manager, DNR Recreation Program
- 22 Ms. Dobey reported DNR's trust lands provide recreational opportunities statewide with over 1,300 miles of trails and 160 recreational sites in 80 campgrounds.

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DNR's Recreation Program serves as one of the founding members of the Recreate Responsibly Coalition, a national movement with chapters in six states initiated in the state comprised of representatives from businesses, agencies, nonprofits, and influential voices working together to help everyone experience the benefits of recreating outdoors safely during the global pandemic.

Ms. Dobey shared a video of safety tips produced by the coalition:

- 1. Practice Physical Distancing
- 2. Plan Ahead
- 3. Come Prepared to Practice Good Hygiene
- 4. Protect Yourself and Others
  - 5. Don't Take Unnecessary Risks
- 6. Leave No Trace

In addition to social media kits; campaigns; and signage at recreational sites across Washington; the coalition has provided an opportunity for land managers to meet and share tips and experiences on how to handle the large increase in visitations and to collaborate on the state's COVID guidance for recreational activities. The coalition organized a variety of web-based activities for public learning.

The coalition recognizes the need to consider the future as a group as the pandemic ends and remains committed to a safe outdoors beyond the pandemic. A guiding principle to the six tips for responsible recreation is to build an inclusive outdoors that welcomes those of all identities and abilities. The coalition is including safety in terms of security, inclusivity, and equity in the outdoors.

Chair Franz updated members on several activities since the Board's last meeting. A March 21, 2021 Seattle Times article featured a proposal by former Commissioners Goldmark and Belcher changing state trust management from harvesting timber to a special ecological reserve to sequester carbon over the next 20 years. Additionally, the article outlined the 40 acres of the Smuggler Timber Sale containing a patch of old growth and older trees and the removal of the 40 acres from the timber sale to give the DNR team and the Board an opportunity to review forest management policies on old growth and older trees. The conversation around older growth trees. carbon sequestration, jobs, and working forests provides DNR with an opportunity to engage in a larger conversation on ways to balance two admirable and critical objectives to protect working forestlands and ensuring older growth trees are conserved for their ecological value.

Chair Franz added that DNR has some of the most environmentally sustainable policies in the state and because of the popularity of wood and how wood serves to house and protect people, the most sustainable action is to continue growing forests in the state. State lands also provide critical and productive working forests to prevent the conversion of private land into suburbs and other types of developments. She stressed the importance of ensuring the conversation does not move to an absoluteness approach, but more to a balanced approach. Approximately 40% of DNR lands are managed for habitat conservation constituting over 840,000 acres representing a balanced and sustainable forest management. Because of the area of the Smuggler sale, staff removed Unit 1 from the timber sale. She thanked the public for raising concerns, to staff for

meeting with the public, and to all purchasers who worked with DNR. The Board is scheduled to receive a briefing on old growth and older forest policies at the May meeting. Staff continues to review timber sales schedules for the next several months and will delay any sales that might potentially include similar characteristics within the Smuggler sale to afford the Board necessary time to review the policies. The review is not part of the 2021 work plan, but it is critical and an opportunity to pursue a broader and holistic view to create meaningful change. She stressed the importance of balancing and prioritizing ecological conversations with the environmental and social benefits of working forests that generate revenue for the beneficiaries.

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The existing policy framework is 15 years old, the Board's review will provide an opportunity to learn how the policies were developed, and review changed conditions. Much of the work is in progress with next year's launch of the planning process for the next decade's sustainable harvest calculation for Westside forests, as well as conversations on forest health issues, wildlife resilience, environmental justice, and climate resilience. The work informs the policy framework that guides implementation plans on the ground.

#### PUBLIC COMMENTS FOR GENERAL ITEMS OF INTEREST

Todd Myers, Environmental Director, Washington Policy Center, commented that as a former DNR employee, he advocated for the old growth policy when it was adopted in 2004. He referred to the proposal from former DNR Commissioners Jennifer Belcher and Peter Goldmark to stop timber harvest in Western Washington forests. They argue that halting harvesting would help fight climate change. However, that claim is contradicted by science from the U.S. Forest Service, University of Washington, and the Intergovernmental Panel on Climate Change, the United Nation's climate agency. Those scientists know sustainable forestry of harvesting timber and replanting trees is much more effective in reducing atmospheric CO2 than letting trees grow, stagnate, die, and decay.

The proposal would be a serious and unscientific mistake for Washington's economy and for the environment. The faulty assumptions of trees storing carbon after reaching maturity and reducing harvesting that would not be replaced by harvesting elsewhere are wrong. Research by the University of Washington and DNR's old growth models reflect how trees in Western Washington absorb and store carbon more rapidly between 30 and 80 years of age. Soon after, total carbon stored in the forest generally plateaus. Large growing trees crowd adjacent trees and eventually, because of natural aging and disturbances (windstorms, fire, and disease), an unmanaged forest is likely to emit carbon rather than store more carbon as trees burn, die, or rot.

A researcher from the US Forest Service echoed similar concerns noting that unmanaged forests are more likely to experience a catastrophic loss from fire. Additionally, wood is far less energy intensive than other construction materials. Using timber to replace concrete and steel in construction reduces global greenhouse gas emissions. A recent assessment by the Intergovernmental Panel on Climate Change suggest where technically possible, substitution of wood from sustainably managed forests for non-wood materials in the construction sector in single-family homes, apartments, and industrial buildings reduce greenhouse gas emissions in most cases. Finally, a major problem not addressed by those who advocate for stopping harvesting is the key calculation that for any CO2 reduction project there is leakage in which an activity reducing CO2 in one part of the world is offset by an increase in that activity elsewhere.

If preventing harvesting in Washington leads to more timber harvesting in Idaho, Canada, or Russia, the total amount of global CO2 would not be reduced and may actually increase.

Under an in-state harvest ban when homes are built, instead of using lumber from Washington, lumber would need to be imported. This is the same logic that prevents timber companies from exporting logs harvested on state lands. None of the data is particularly controversial among forestry scientists as the questions have been examined repeatedly and they consistently yield the same answers. The 2004 Western Washington Sustainable Harvest Calculation documented the same findings.

Stephen Kropp, Center for Responsible Forestry, reported the organization submitted a petition to the Board signed by five organizations requesting the removal of Sauerkraut, Farfegdougan, and Skid Plate timber sales from the calendar this month to enable modifications by excluding those units that are capable of contributing to DNR's 10%-15% older forest target. The target is not on track for the south coast planning unit. The letter explains why the target is not possible. The Center is focused on older, native, or un-planted forest remnants as the loss is unknown by converting those forests to commercial plantations. DNR should be studying forests and working to understand them because so few remain, especially in southwestern Washington. Any forest ecologist will admit that over the last 30 years of experience, the unknowns of native forests far outweighs what is known.

He is heartened to learn about Commissioner Franz's consultation with Jerry Franklin because of his prior concerns that the synergistic effects and cumulative impacts of timber harvest on biodiversity are extremely difficult to quantify or predict and may be irreversible. The impacts of timber harvest on individual species will probably never be known. There are no national parks or wilderness areas in the upper Chehalis River Basin or anywhere along the Chehalis River or rivers draining to Willapa Bay. No national forests exist along Abernathy Creek, Mill Creek drainage, or any other watersheds that drain to the lower Columbia River. Virtually all existing native unplanted forests with the exception of several parcels purchased by the Nature Conservancy or other land trusts are located on DNR land.

The issue is quantifying the loss when the Dougan Creek watershed is converted. The watershed is comprised of 80% native forest. The question is the effect to the forest ecosystem; landscape level productivity; impacts to regional biodiversity; and long-term viability of wildlife species when forests are replaced with plantation seedlings and some isolated tree aggregates. The answers are unknown and they should be the reason not to log the last remaining stands of native forest.

Mary Jean Ryan, resident of Jefferson County, working with a statewide group of trust land transfer supporters urged the Board and DNR to support the trust land transfer proviso included in the Senate Capital Budget. The proviso will produce a stronger Trust Land Transfer Program (TLT) for effective trust management. Senate language mirrors language by DNR to work with stakeholders to thoroughly analyze the current TLT mechanism and recommend needed improvements. She encouraged the Board to support the needed review and update of the TLT.

**Samantha Krop** cited correspondence submitted to the Board from 28 signatory organizations. The letter thanks Commissioner Franz and the Board for considering the request by communities

to halt old growth forest and Smuggler timber sales and for their commitment to reexamine the status of approximately 10,000 acres of older forest on DNR land located west of the Cascades over the next several months. Although, it is a step in the right direction, it does not create increased protections needed for Washington's forests. Maturing and complex second growth forests have nearly disappeared from southwestern Washington and the greater Puget Sound region. The recently proposed Sauerkraut, Ode to Joyce, and Elochomotive timber sales collectively include harvesting up to 565 acres of 80 to 100 year-old structurally complex carbon-rich native forests that would eliminate one of the last best examples of older forest remnants.

Signatories to the letter are requesting the Board implement an immediate halt on logging of those and other maturing complex forests 70 years and older on state lands representing approximately 8% of lands covered under the current sustainable harvest calculation available for harvest, and follow the proposal of former DNR Commissioners Belcher and Goldmark. The world is in the midst of global warming crisis and experiencing an unprecedented decline in global biodiversity. Now is not the time to log older forests or replace large fire resistant trees with young, fire-prone tree plantations that are susceptible to future climate disturbances. DNR's drive to maximize timber revenue at the expense of the fragile ecosystem benefitted by mature and complex forests is misguided and shortsighted. It is time to protect public forests with a role in mitigating climate change, protecting freshwater resources, providing opportunities for recreation, and preserving biodiversity and wildlife habitat. Ms. Krop identified some of the 28 signatory organizations.

 Brady Dier, DNR State Lands Forester in the Pacific Cascade Region, reported he is speaking as a Shop Steward for Washington Public Employees Association (WPEA) UFCW Local 365 representing foresters, wildland firefighters, and other employees of DNR as one of the last unionized workforces in the woods. He cited the recent proposals to restrict harvesting on state lands specific to older forests and carbon sequestration and described how foresters are committed to professional and sustainable forest management and plan to continue faithfully implementing DNR policies including the Habitat Conservation Plan (HCP), Forest Practices Act, Policy for Sustainable Forests, and any Board of Natural Resources directive. Public involvement and democratic control is unique to DNR.

While there is agreement, old growth must be protected and borderline cases deserve special scrutiny, it is important not to conflate issues of older forests with climate policy. Industrial forests in Washington are harvested every 40 years, yet have a net mitigation for statewide emissions.

DNR's HCP is a gold standard with harvesting at 60 to 70 years maximizing sequestration along with leaving twice as many trees in harvested areas. During DNR timber sales, trees are converted to public funding for common good. Shareholders are citizens. Export restrictions on DNR require harvested logs to remain in local economies offering good paying jobs that do not require a college degree. Climate change is a much bigger problem than just state lands. For some time conservation has been imposed on public lands. DNR should be strategic about conservation and address climate change using working forests. WPEA members are proud of practicing forestry that addresses Washington's needs. If citizens of the state decide carbon sequestration is important then it is important to note that DNR is leading the way.

Tom Lannen, County Commissioner, Skamania County, thanked the Board and DNR staff involved in timber sales, as they are critical to the revenue produced from the forests. He encouraged the Board to approve the Farfegdougan timber sale. He recently received notice of a possible effort to delay the sale. The Board received some information that provides more detail on the critical nature of the funds from the timber sale. He asked for the Board's approval of the sale and complimented staff on the video depicting recreational safety during the pandemic. Skamania County is covered 90% in timber and experiences much activity in the federal forests that need to be improved both because of COVID, as well as the impact the increased level of visitors have on the environment. He thanked Mr. Myers for offering a scientific approach to timber.

Bruce McCain, retired Program Manager, National Oceanic and Atmospheric

Administration (NOAA), reported he has been involved in environmental issues in Kitsap County for 10 years. The Land Trust Program has provided significant contributions to capital improvements for schools, universities, and governmental facilities. However, demands on trust lands have changed because of climate change. Governor Inslee and many legislators consider the crisis as one of the state's top priorities. DNR needs to place more emphasis on the social cost of carbon and its trust forests compared to the dollar value it places on harvesting forests. Harvesting forestlands causes emissions of significant levels of carbon dioxide and diminishes the potential of sequestration. An article in the *Seattle Times* on March 21, 2021 speaks to taking a more realistic view of harvesting timber in state forests and that public comments will be received at DNR meetings.

He supports that holistic view, as well as Superintendent Reykdal's comments quoted in the article stating, "Money going to the school trusts today from logging would be better spent to protect species and habitat." He suspects Superintendent Reykdal would also include carbon sequestration by forests. DNR needs to refocus the use of forestlands to help combat the ravages of climate change. It is time to manage state forestlands based on 2021 priority needs.

Mark Hayes, Director of Sustainability, Northwest Hardwoods Inc., said the company is opposed to the proposal to retire forests west of the Cascades on state forest trust lands for commercial harvest. There is no dispute that the proposed concept would likely increase forest carbon storage on state forestlands for a period of time; however, the proposal offers a limited perspective of carbon benefits managed forests and wood products provide and at a time when more people want to build with wood products. The proposed idea would reduce the amount of sustainable, locally grown wood products for building, potentially risking the health of rural economies in the state. Wood products store carbon long after trees are harvested. The proposal aims to maximize the total carbon stored for forest ecosystems on state trust lands for some time. The proposal does not consider carbon stored in wood products or carbon emissions avoided when wood is used in place of more energy-intensive materials.

 Forests can be managed to maximize biological productivity providing greater carbon storage and sequestration benefits than unmanaged forests. The concept as proposed would likely increase carbon storage on trust forestlands for some time; however, it would unlikely maximize carbon benefits that could be provided by state trust lands through long-term sustainable management. Forest management is a game of trade-offs. As of 2018, forests on state trust

lands accounted for approximately 13% of forest carbon storage in Western Washington and simultaneously yielded 20% of all timber volume harvested in the region. The proposed action seeks to eliminate commercial harvest on state trust lands for the next 20 years resulting in substantial reduction in timber volumes produced in the region resulting in severe and negative consequences for rural economies that depend on revenue from state trust lands. The proponents appear to have no tangible solutions for the harm and irreversible damage to rural communities in Western Washington. For those reasons, Northwest Hardwoods opposes the proposed concepts.

Carol Price, resident of Kitsap County, expressed support of the Senate Capital Budget proviso for the Trust Land Transfer Program (TLT). She asked for DNR's support of the proviso as it calls for DNR not to trade, transfer, or sell any valuable material from the four parcels comprising the proposed trust land transfer parcels from the previous biennium. One of the parcels is the Eglon Rose Point state land trust in North Kitsap County. She contrasted the Eglon Forest to what is occurring in Port Gamble Forest Heritage Park located in North Kitsap County. Over the last several years, large portions of forest in the park have been clear-cut. To be clear, clear-cutting would continue for years and millions of dollars would be spent to develop the county park's recreational opportunities and to attract ecotourism dollars.

The forest at Port Gamble seems to be a low priority in the plan. By contrast, Eglon Forest is recovering slowly from successive harvesting and replanting. No clear-cuts have occurred in the last 30 years. Douglas firs over 100 years old, wetlands, and seven creeks flowing into Puget Sound are located at the northern end of the forest. Many people in the community would prefer conserving Eglon Forest.

She is passionate about saving the 640 acres as a forest rather than a recreational opportunity or a playground. She asked DNR to provide communities with a chance to save forestland by supporting the Trust Land Transfer Program proviso in the Senate Capital Budget and urged DNR to include the TLT program in future DNR budgets.

Alexander Harris, resident of South Fork Nooksack River Valley and Western Washington University graduate student commented on DNR's approach for managing older, complex forests. DNR needs to do more to protect the social, ecological, and hydrological benefits older forests provide. He believes in a nuanced and balanced approach to forest management by balancing a wide array of objectives, including economic objectives to produce certain outcomes, such as salmon recovery, watershed protection, carbon sequestration, wildlife habitat protection, and recreation. All those objectives could be achieved if a more multiple use approach is advanced for forest management. DNR does foster numerous uses; however, it is important to learn from the success of the U.S. Forest Service model and embrace the scientific literature, multiple uses, and leave behind 20<sup>th</sup> century systems that have not worked well.

His interest in legacy forests stems from logging by European settlers in the late 19<sup>th</sup> century. Those forests regenerated naturally and are more structurally complex, biologically diverse, and have no resemblance to plantations, which is why they are special and unique. Forests over 100 years old that regenerated naturally should receive a special response from the Board and DNR, because they are unique and demand a different approach. The proposed timber sale in 2024 is located above his residence and is known as the Dutch Top timber sale. He visited the forest

recently and observed massive trees older than 125 years. The trees are located adjacent to occupied Marbled Murrelet Habitat. Forests serving ecological functions and adjacent to occupied habitat should be removed from the harvest regime. DNR should consider a balanced approach to forest management in the 21st century.

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Robert Mitchell, resident of the state since 1979, supported the delay in the Sauerkraut timber sale. A number of old growth trees exist in the U-3 parcel, as well as a pond with salamanders that would likely be affected by logging operations. DNR's timber crews also documented eight rings per tree as an average for Douglas firs and a mean diameter base height of 24 inches reflecting an average age of trees as over 150 years old. He suggested the parcel should be protected. Additionally, lumber future prices have more than doubled since 2019, but bid prices have only increased by 25 to 35%. He questioned DNR's valuation methods and recommended DNR consider doubling bid prices for logging.

 Ed Bowen, resident of Clallam County, emphasized his ongoing concerns about the lack of revenue from trust lands to beneficiaries and the suggestion by others to attach ecosystem values to a portion of the "pot of money." That suggestion is opposed by affected citizens because of the community's reliance on junior taxing districts to fund services. Apparently, a competitor is sharing in the revenue as a junior taxing district focused solely on conservation through land acquisition. He asked whether his community would continue to receive fewer funds and whether the community would receive credit for ecosystem values. His previous inquiry to the Board involving the rate and the reason for no-bid sales now includes an inquiry as to why a high rate of overbid for Jefferson County occurred in the March auction results. He asked whether the appraisals were reliable.

Lizzie Bridges, resident of Leavenworth, WA, referred to her background in recreation management and environmental studies. She addressed House Bill 1168 on long-term forest health, reduction of wildfire dangers, and how the bill raises many questions that should be considered. According to the California Department of Forestry and Fire Protection, 95% of California wildfires are caused by humans.

She questioned increasing accountability both in response and by the cause of fires. More analysis and education are needed of situations involving vehicle fires, wildfires caused by trains, and power lines. Wildfire maps of Chelan County from 2014 to 2019 reflect a common theme within the overlap of roads and train tracks. She asked whether train companies should be accountable for damages and asserted that more analysis is necessary by studying other areas, such as British Columbia. Thinning of areas adjacent to trains and power lines could be considered, as well as transferring logging equipment by train to prevent the need to create more logging roads. Train tracks could be considered as fire breaks. She asked another series of questions:

- Can forestry be sustainable especially with the use of chemicals, such as phosphate herbicide mixtures?
- Can beavers be utilized to help combat wildfires by using the animal's ability to create naturally wet firebreaks?
- How many acres were logged of the existing 2.7 million acres of forest classified as dead?

- Are bark beetle infested areas collectively logged or clear-cut?
- Is the action of clear-cutting a part of thinning?

Ms. Bridges suggested reviewing case studies, as well as the clear-cut controversy in Montana that has created higher water temperatures in streams no longer shaded by trees. One timber company was cited in the case study, which is now owned by the Weyerhaeuser Company. She questioned whether it is possible to trust corporate timber companies to be responsible on state lands and whether the collective amount of \$31,750 in 2020 campaign contributions to Commissioner Franz by 11 companies in the timber industry would be considered a conflict of interest in serving the citizens of Washington. She is aware the sponsors of the bill have received numerous contributions from timber companies. It is important that every American 

has a place on public lands as part of the federal Land Policy and Management Act of 1976.

Matt Comisky, Washington Manager for American Forest Resource Council (AFRC), referred to recent comments on the TLT program and the confusion caused by forest investments. AFRC and other stakeholders have concerns with the current structure of the TLT process. He cited the analogy of purchasing a parcel 20 years ago, investing in improvements, selling the parcel, and reinvesting in another smaller parcel with no improvements as an example of the TLT process. DNR should retool the TLT process. Retaining cash is not in the interests of beneficiaries as DNR loses purchasing power as the money sits in the replacement account.

Another concern surrounds three years of working with three Southwest Washington counties and the Columbia Land Trust, Office of the Superintendent of Public Instruction, and school directors to develop a solution for the three Southwest Washington counties suffering ramifications by the HCP. A proposal was offered that would solve some of the revenue shortfalls in Southwest Washington. For three years, the agency has been seeking funding for initial funding of \$28 million with a total price tag of over \$150 million. Funding is necessary before more lands are removed from management through the TLT process.

Beverly Parsons commented that as a researcher for the last four decades, she is requesting DNR and state universities protect the public and nature by proactively ensuring research used by the Legislature related to forestry represents the full scope of relevant research. It appears that nearly focused and bounded research is provided to the Legislature related to forestry. Members of the Board represent universities that are providing research that might be accurate within the scope of the study but uses boundaries in the research that do not represent a complete picture that supports the entire industry, nature, and the public.

A case in point is the UW study used by the Legislature to support the passage of ESSHB-2528 in 2020 that did not examine the full scope of carbon sequestration of a forest or oxygen production. It is not possible for DNR and the universities to monitor every contact between researchers, lobbyists, and legislators; however, when a major piece of legislation, such as 2528 is passed, it is incumbent on DNR to be involved in providing a more complete research picture. In June 2020, a letter sent to key congressional committees signed by nearly 200 scientists across the country presented a different picture of the role of forest management in carbon sequestration and mitigating climate change. Universities have institutional review boards to protect human subjects.

She questioned what universities are doing to protect the public from misleading research used in public policy decisions and what constraints are imposed on the use of research produced by staff. Much of the research in circulation today is based on a reductionist research model initiated some 300 years ago and based on viewing nature as a machine. A growing number of researchers have moved beyond in recent decades to evaluate ecosystems and engage in systems thinking. It is time for DNR to use the latest scientific methods that are based on nature as a living system. She asked the Board to act to prevent the continuing misuse of research that is shaping state policy.

Bill Turner, Washington Log Procurement Manager, Sierra Pacific Industry, reported the company relies on DNR's programs for all four Washington mills to produce products consumers rely on. Another benefit of using wood products as a building material is lumber superiority among building products in fighting climate change through carbon sequestration. He served on the Washington Carbon Sequestration Advisory Committee created by the Legislature in 2019. Part of the committee's task was to compile and assess known information on carbon inventories in the state on natural and working forests.

The U.S. Forest Service completed the inventory. One of the key inventory metrics for carbon sequestration is flux or the amount of change in carbon level over time. Healthy fast-growing forests sequester carbon at much higher rates than diseased or dying forests. Not surprisingly, the U.S. Forest Service inventory reflected managed forests in the state are the largest consumer of atmospheric carbon. Unmanaged forests, which have the highest levels of disease mortality, might have more carbon inventoried but they are often emitting more than absorbing.

The take away is forests supply healthy timber markets and have the highest sequestration potential not only in the forest but also in the subsequent building products. Harvested wood products such as lumber and plywood are comprised of approximately 50% carbon. In addition to the role of sequestration, wood products require less energy to produce than concrete and steel, which is why wood products are recommended for use by green building standards around the world. A strong and vibrant DNR timber sale program results in healthy working forests providing green building products while also storing carbon to combat climate change. Maximizing growth on the landscape is the goal for both sides of the equation of timber sales and carbon sequestration.

Rachel Baker, Forest Program Director, Washington Environmental Council (WEC), commented on management of state trust lands in the time of climate crisis. As acknowledged earlier by Commissioner Franz, much attention has been focused on state trust lands both at the level of overarching policy and individual timber sales. The current controversy requires reevaluation of how forests are managed including state managed trust lands. The WEC does not believe it is necessary to cease all timber harvesting on state managed forests to achieve positive outcomes for climate biodiversity and trust beneficiaries. However, public forests must be managed intentionally for climate change.

 She cited the issues of carbon policy; Trust Land Performance Assessment; and management of older forests. In June 2019, WEC and colleagues submitted a request to the Board requesting development of a carbon and climate policy to guide management of state forestlands. A carbon policy would provide a framework for DNR to increase carbon sequestration and climate

resilience of lands along with other objectives. The approach aligned with Commissioner
Franz's earlier comments of seeking an approach. The forest carbon inventory completed by
DNR and the U.S. Forest Service underscores the need for a policy to guide carbon management.
The inventory found that although Washington forests as a whole sequester a net 16 million
metric tons of carbon dioxide per year, the annual net sequestration on DNR managed lands is
not significantly different per year.

 The Trust Land Performance Assessment is an opportunity for the agency to develop a long-term and holistic vision for modernization of state trust land management - one that seeks reliability of revenue alongside ecological, climate, and social outcomes. Any recommendations from the assessment should be guided by climate science and the public interest of Washingtonians. Any solutions that do not address the impacts of climate change and the needs of the growing state are unlikely to be successful in the long term. Recent timber sales including the Smuggler sale, have called attention to the management of older, large diameter trees.

DNR's previous decisions on management and long-term objectives related to older forests are ripe for review, especially in the context of the next sustainable harvest calculation. She recommended the Board review DNR's older forest commitments to determine whether DNR needs to adjust the commitments to reflect societal needs today.

#### PUBLIC COMMENTS FOR TIMBER SALE ACTION ITEMS

Lynn Fitz-Hugh spoke to Commissioner Franz's opening comments on the importance of timber and wood products to the state's economy. He is not opposed to timber harvests on state trust lands or generating revenue from state trust lands; however, there is no reason to sacrifice the state's natural heritage to generate revenue for schools. For most counties, there is sufficient volume in 40 to 50 year-old plantations to satisfy near-term sustainable harvest targets. The sustainable harvest calculation sets targets for each sustainable harvest unit. However, the calculation does not require harvesting 80 to 90 year old native unplanted legacy forests. It is acknowledged that a bias exists for extracting from older forests first rather than pulling the volume from younger marketable 40-to 60 year old plantations. As explained in a letter submitted to the Board, DNR is lagging in meeting the older forest targets that were established by the Board in 2006.

 The Northwest Forest Plan provides for the retention of all remaining late successional forests and watersheds that currently contain 15% or less of such forests. In addition to providing for an extensive system of late successional reserves, the Board decided in 2006 to establish older forest targets on state trust lands recognizing that very few watersheds contain 15% or more late successional forests. A recent email suggesting targets established by the Board are now optional and are not fixed was surprising to him, as well as to the Director of the Forest Resources Division and many others at DNR who have been telling him over the last eight months that the department is committed to the targets. He understands the policy for sustainable forestry is not an aspirational document but a Board approved policy and the department does not have the freedom to choose different parts of the policy to follow or ignore. As a first step, the Board should provide clarity on the issue and enforce the policies that guide the management of state trust land.

Samantha Krop said she is speaking as a volunteer with Washington Center for Responsible Forestry and as an agitator and community organizer working at the intersection of forests, carbon, and climate change. Washington State lands have a significant role to play in addressing the climate crisis, but only if the forests remain intact. The misleading argument that ongoing clear-cut plantations are a climate solution is essentially a timber industry talking point that oversimplifies the science and does not consider the full scope of carbon sequestration and storage process.

Forest climate research from Oregon State University, a leading forestry school in the nation, concluded that logging is one the greatest contributors to climate emissions and undercuts long-term carbon storage. In natural forest conditions, when a tree dies, some carbon is released, but the majority is stored in the soil and forest floor. Even the most severe wildfires release only 10% of forest carbon.

 In contrast, industrial logging interrupts the process and emits most of the forest carbon into the atmosphere. The logging and milling process emits 70% of stored forest carbon. Remaining carbon stored is mostly in short-lived wood products, such as paper and packaging that biodegrade and release carbon into the atmosphere within 10 years. Other wood products only store carbon for an average of 50 years when compared to old trees that store carbon for centuries. Most tree farms operating on short rotations never reach their full carbon storage potential. Ms. Krop referred to the Sauerkraut and Skid Plate pending timber sales that include complex forest structures that should be protected especially given the current commitment to protect forests for their forest carbon value.

Additionally, the Farfegdougan timber sale is not an older and native forest. It is adjacent to Dougan Creek, which is a popular recreation area and fish-bearing tributary of the Washougal, which is 85% native forest. Across from the proposed Farfegdougan sale, a new massive clear-cut is located on an adjacent hillside. If the sale was approved, both sides of the creek would be clear-cut. The issue of trespassing at timber sales is another concern by public when attempting to visit timber sale activities, which has deterred the public from both the sale process and the SEPA process. The issue of trespassing is deterring the public and is potentially unlawful given the multiple use mandate forests should be operated under.

Against the backdrop of climate change, it is time for DNR to take a bold move in a much-needed direction beyond just protecting the oldest and rarest forests, but extending protections to all complex native and other climate significant state lands to ensure enduring and lasting public access.

Ed Bowen referred to a rumor of a petition to delay three timber sales by proponents concerned with Board policy not followed. He offered a verbal counter-petition as the proponents did not submit the petition until after the Board's policy deadline at the close of business, March 31, 2021. Delay in timber sales destroys communities dependent upon trust receipts. If the Board receives the petition, he believes it is not appropriate to consider the petition at the meeting for the purpose of approving the sales.

Peter Goldman, Director, Washington Forest Law Center, thanked the Board for its patience while listening to public testimony. He supports the Center for Responsible Forestry's request

for DNR to delay the Skid Plate and Farfegdougan timber sales. As pointed out by the Center and acknowledged by DNR, legitimate issues exist on how the 10%-15% policy is implemented across all state lands. Some are similar to a credit card purchase that continues to accumulate, but has not been paid, while others such as DNR believe the debt has been paid in other areas geographically and temporarily when trees mature over time. The legitimate science issue is whether DNR is legitimately on track to meet the 10%-15% rule.

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Fortunately, DNR withdrew the Sauerkraut and Elochomotive timber sales because those sales are in the older category of structurally sound forests. However, the legitimate question is whether other forests are potentially fully functional and whether they demonstrate the complexity required under the 10%-15% rule. It is reasonable to request a delay of several months for those two sales pending the Board's full briefing on compliance with the 10%-15% policy. It is premature to finalize the sales if the units might be necessary to meet the policy.

Miguel Pérez-Gibson, State Lands Policy Advisor, Washington Environmental Council, reported the Council supports forestry management. Given the increase in public conversations around DNR timber sales and meeting the agency's management commitments, he offered that each timber sale by definition creates an ecological disturbance to the landscape. Each sale reflects a silvicultural prescription and a story rather than the volume removed. One example is the proposed Double Haul sale adjacent to the Merrill Lake Conservation Area. Merrill Lake is one of the few fly-fishing catch and release lakes in Western Washington. While he is encouraged that some leave tree areas will remain near the Merrill Lake campground, he questioned whether DNR considered incorporating the land within the conservation area, consider retention forestry as Dr. Jerry Franklin suggested, or retain a portion of the original stand as unlogged to maintain continuity of structural and compositional diversity.

 The trust land mandate is used as the overriding objective, but the 244-acre harvest is 100% common school with a minimum bid of \$1,197,000. A 20% increase in forest retention could reduce the minimum bid to under a million dollars. That difference would be insignificant when considering a backlog need of \$50 billion for school construction. DNR would need to generate \$5 billion each month to meet school construction needs. It is not possible clear-cut forests to create classrooms. The Board should consider the acreage, location, and future forest conditions in addition to volume and dollars when approving sales. The remaining biological legacy should be considered and whether the harvest re-generational plan only produces an even-aged industrial Douglas fir plantation or a more diverse and resilient forest stand.

The Board should consider whether the sale helps DNR meet its landscape level management objectives and commitments. Part of a trustee's responsibility is to reduce risk. Without public support and confidence in how state forests are managed during a climate crisis, DNR runs the risk of losing its management role as per the Belcher and Goldmark proposal. The agronomic industrial management model designed to optimize efficient production of wood fiber for economic gain emphasizing fast growing species on short rotations is not sustainable on public land. The public is demanding management that contains an array of ecosystems structures, functions, and a larger spatial scale. He supports Commissioner Franz for leading a policy review on forest management issues.

Russ Pfeiffer-Hoyt, Chair, Washington State School Directors Association Trust Land Advisory Committee, said members represent 1.1 million public school students across the state and the communities supporting those schools. He conveyed appreciation to Commissioner Franz and DNR staff for their dedicated work. Each timber sales packet represents years of work to grow and provide a sustainable harvest. When the Board entered into the HCP, the purpose was to comply with law while ensuring certainty to continue harvests on the remaining land base. DNR has ensured that each sale under consideration has undergone a rigorous process to ensure that the sales meet the requirements of the HCP and other laws. He urged the Board to approve 

all proposed sales in the packet.

 Matt Comisky reminded the Board of a prior decision in December 2019 pertaining to the Marbled Murrelet Long-Term Conservation Strategy that entailed the release of older stands to attain certainty of where DNR could manage for trust beneficiaries. Additionally, many are concerned about the amount of young forests that were preserved for protection to secure the

certainty of the HCP amendment that released some lands.

He cited a failed experiment during the Solutions Table process by an effort by DNR to voluntarily set-aside lands. He highlighted several issues that might go unnoticed by the Board, such as when timber sales are advertised. Purchasers responding to an advertisement have invested in assessing growth costs, securing bid deposits, and other costs and fees associated with the sale that must be provided prior to offering a bid. Once a purchaser bids on a timber sale, many of the sales require securing materials for road building; logging; culverts; bridges; rock; scheduling equipment; and contracting with subcontractors upfront before harvesting any trees.

When timber sales, such as Smuggler and other timber sales are further into the process and are subsequently withdrawn, no mechanisms exist for the purchaser to recoup upfront expenses. DNR pursues a rigorous process for evaluating sales with professional field staff. He cited no significant concerns surrounding HCP performance and implementation monitoring by audits on the Capitol State Forest and the HCP process DNR is required to provide to the U.S. Fish and Wildlife Service.

Beverly Parsons advised that several members of the Kitsap Environmental Coalition were unable to attend the meeting and she is speaking on behalf of their concerns. With respect to timber sales, she is hopeful the Board has paid attention to the growing momentum in the state for a moratorium on clear-cutting of trees on state land for at least 10 years. It is important to consider that it is only ecologically regenerative logging alternatives that can possibly promote the recovery of habitat critical to the health of soil; wildlife; streams; and sea life including salmon and orcas. It is likely livelihoods are linked to the current way the state manages forests; however, it not possible to continue clear-cutting at the expense of the planet's greater survival.

There is little debate that living trees not wood products produce the oxygen necessary for life.

Sabrina Sandberg, resident of Kitsap County, conveyed appreciation to DNR and the Board for pursuing a balance between timber needs and land protection. She supports increased protection of Washington public forests and would like the Board to focus attention of halting the logging of mature and complex forests 80 years and older on state land. She strongly supports the proposal of former Commissioners Belcher and Goldmark, which would create a

new class of state forest trust land by retiring 5% per year of Washington forests from 1 commercial harvest over the next 20 years. The plan is full of opportunities. The state has an 2 opportunity to be on the frontlines of building a new industry that would provide jobs in forest 3 4 maintenance, an industry that will become more prominent globally over the next century.

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Rather than looking backwards at jobs that will continue to decline, the Board could be training tomorrow's experts in a new field. Another opportunity is upholding a duty of care for forests that provide protection and resources to those in Washington and around the world.

Sequestering carbon would also provide habitat for imperiled species, protect watersheds, and 9 prevent disastrous wildfires. Few mature and complex second growth forests remain in the state. 10

The state is currently passing the tipping point for total climate upheaval. Now is not the time

for small incremental changes, the Board must take action and take care of resources. 12

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## TIMBER SALES (Action Item)

Auction Results for March 2021, FY 21 Volume Update, and Proposed Timber Sales for 15 16

May 2021 3 handouts, including the presentation 17

Koshare Eagle, Assistant Division Manager, Product Sales & Leasing Division

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Angus Brodie, Deputy Supervisor, State Uplands, advised the Board of an update following the presentation on proposed timber sales on the status for withdrawing Unit 1 from the Smuggler timber sale.

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Ms. Eagle presented the results of the March timber auctions.

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The Department offered 11 sales totaling 56.8 mmbf. Eleven of those sales sold totaling \$20.6 million for an average bid of \$363 per mbf with 2.6 bidders per sale on average.

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Ms. Eagle invited questions on the March sales.

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Commissioner Peach asked about the outlook for timber sale demand in the next three to six months. Ms. Eagle advised that the outlook is strong because of an increase in housing starts across the country. All sales offered in March were sold.

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Ms. Eagle presented a graph of planned, offered, and sold timber volume for each quarter of fiscal year 2021. The information represents sales planned and presented in July 2020 and FY 21 volume offered at auction. Other information represents sales that did not receive bids. To date for FY 2021, DNR has sold 76% of the target for the year through the third quarter.

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Ms. Eagle presented information on planned, offered, and sold volume remaining from fiscal years 19 and 20.

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Ms. Eagle invited questions. The Board offered no questions.

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44 Ms. Eagle reviewed the 10 proposed timber sales for May 2021 totaling 57.5 mmbf. One of the sales from the Northeast Region was previously approved by the Board in May 2020. The sale 45 did not sell when offered as a lump-sum sale. Staff reconfigured the sale to a contract harvest 46

sort sale. Minimum bids total \$17.2 million for an average of \$300 per mbf. 47

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Mr. Brodie advised that since mid-March, timber sales have been reviewed for characteristics closely matching older growth as defined in sustainable forest policies. In May, the Department plans to share background and historical information on the HCP and Sustainable Harvest policies when first established and recent information on decisions in 2019 for Marbled Murrelet long-term strategy and sustainable harvest.

Mr. Brodie noted public comment opportunities are available to offer comments on all timber sales within Forest Practices, during the SEPA review process, and during Board meetings.

DNR received a petition to remove several timber sales. Prior to the presentation of the package, staff removed two sales from the original proposal of 12 timber sales because of similarities with the Smuggler timber sale. The sales removed included Sauerkraut and Ode to Joyce.

Commissioner Peach referred to efforts by DNR staff to address issues on timber sales and asked for additional information on the Double Haul timber sale and the investment in time by staff. Mr. Brodie responded that the region (Cowlitz County) understood the importance of the area and pursued extensive community outreach. The region worked closely with community concerns and increased the level of tree retention within the sale, along the natural resource conservation area, and in other areas to protect from potential erosion associated with some unstable slopes, as well as increasing retention across the stand to reduce some of the aesthetic aspects that removal of timber could create.

Commissioner Peach expressed appreciation for the work by staff. He asked how many of the proposed sales requested for removal by several citizens completed the SEPA review process. Mr. Brodie explained that all proposed sales completed the SEPA review process. Commissioner Peach said he is concerned that some members of the public do not respect DNR's established review process of consultation and meeting SEPA requirements. Mr. Brodie clarified that of the two-petitioned sales of Farfegdougan and Skid Plate, only the Farfegdougan sales received a SEPA comment from several citizens. The region responded to those concerns. The Skid Plate timber sale did not receive any SEPA comments.

Mr. Brown asked for additional clarification of the secondary review process for March sales that might reflect similar circumstances within the Smuggler timber sale. Mr. Brodie explained that the Department's focus is identifying any large trees within the unit and reviewing the retention strategy in place. Field visits were conducted by biologists and old growth professionals to ensure stands that should be retained are identified.

Mr. Brown asked whether there were any concerns discovered during the secondary review of the Farfegdougan timber sale related to SEPA comments, and whether those comments were focused on older trees. Mr. Brodie replied that tree size was not the concern as the comments focused on issues surrounding the sale's proximity to a creek and the importance of the creek as a recreational area.

Mr. Brodie invited further questions from the Board related to the proposed timber sales. The Board did not offer any additional questions.

Ms. Eagle requested the Board's approval of the proposed sales as presented.

MOTION: Commissioner Peach moved to approve the proposed sales.

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SECOND: Dean Wright seconded the motion.

ACTION: The motion was approved unanimously.

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### **PUBLIC COMMENTS FOR CHAIR REPORT**

Ed Bowen, Clallam Bay, WA, said he could not support Commissioner Franz's comments directing staff to delay sales for old growth embedded in one timber sale, as the issue should be discussed during the update. His concern is one sales issue affecting old growth delaying other potential sales until the issue is resolved.

Chair Franz responded and clarified that her comments were reflective of asking staff to review the timber sales schedule for the next several months and any sales that currently have characteristics similar to Unit 1, staff would withhold the sale to take the necessary time to review the sale to ensure no violation of policies exist and afford time for the Board to review and explore potential new policies.

Peter Goldman spoke to several words within the Trust Land Performance Assessment presentation. The salient issue appears to be how to increase the "amount and reliability" of revenue. The language that speaks "to increase the amount" appears in both the need and purpose within the presentation materials. The issue is tricky. He urged the Board to be mindful of using language that speaks to "the amount" because it is important to be careful that it does not necessarily equate with board feet or increasing the amount of harvesting. It will be very challenging to increase the amount of harvesting on trust lands for a variety of reasons. Trust lands are not managed as private lands, but are public lands managed for many good reasons. Legal uncertainty also exists in terms of the Board's operational mandate. He urged the Board to have an open mind on what it means to "increase the amount."

Several counties and AFRC are suing the Board for not managing the lands as private lands in a Thurston County Superior Court appeal of the long-term conservation strategy decision. He urged the Board to seek copies of the declaration AFRC filed accusing DNR of mismanaging lands, underestimating forest inventory, not collecting stand-based data, providing too many environmental constraints, over estimating roads, and over estimating riparian buffers. Essentially, the appeal accuses DNR of managing state trust land the same as private institutional managers. He asked how the Board plans to reconcile the issue in the future. State trust lands are public lands and need to be managed as public lands. The Board will continually be challenged by organizations, such as AFRC if the Board fails to manage state trust lands as private lands. When considering the terms of "increase the amount" he urged the Board to have an open mind and consider ecosystem services, directing completion of an audit for carbon revenue, and other forms of revenues from the land and other methods rather than increasing harvest volumes.

Beverly Parsons, speaking on behalf of others, expressed concerns that the project objectives continue to prioritize generating revenue over sustaining the natural resource lands and the social

benefits of state lands. Such prioritization is not in the best interests of the ecosystems of the earth that support life. She is also concerned that the outreach to the public during the second quarter is only a public webinar, which is a forum for delivery of information rather than active engagement of the public. She is hopeful outreach can be clarified during the presentation on how DNR plans to engage the public. One example is consideration of the process used by the Washington Climate Assembly.

She asked for an explanation of how DNR plans to move to greater engagement with the tribes, because it is important to learn to live and right relationships with earth and its original stewards. She asked that the tribes be invited into the conversation and that DNR support the current

She asked that the tribes be invited into the conversation and that DNR support the current budget proviso for the TLT program in the state capitol budget Section 70.40 calling for the

12 convening of a workgroup of trust land beneficiaries and stakeholders to develop a

recommended process on the way TLT proposals are developed and implemented. The section also calls for DNR not to trade, transfer, or sell any valuable material from the four parcels

comprising the proposed TLT parcels in the 2019/2020 fiscal biennium.

#### **CHAIR REPORT**

## **Trust Lands Performance Assessment Update**

Angus Brodie, Angus Brodie, Deputy Supervisor, State Uplands, and Kristen Ohlson-Kiehn, Assistant Division Manager, Forest Resources Division

Ms. Ohlson-Kiehn updated the Board on the status of the Trust Land Performance Assessment project. The update covered a recap of efforts completed during the first quarter, planned efforts during the second quarter, and work to anticipate in the third quarter.

Items of completion during the first quarter of the 2021 Work Plan include:

 • Sharing of key findings through the release of DNR's Legislative Report – Charting a Course for the Future containing 2 attachments, Deloitte's Business Analytics Report on Trust Land Values and Returns, and Earth Economics report on Non-market Environmental Benefits and Values. During the quarter, initial outreach included a number of groups to include beneficiaries and beneficiary groups, counties, Washington State Association of Counties, University of Washington, Washington State University, other governmental beneficiaries and interested governmental agencies, industry representatives, and representatives from conservation interests. Staff is scheduling meetings with tribes and tribal groups.

Collection of input on project scope and ideas for change

The focus on Quarter 2 activities include:

- Continue to collect input on project scope and ideas for change.
- Host a public webinar on April 28, 2021 Comment submittal period from April 28 through May 12, 2021. Information on joining the webinar is available at www.dnr.wa.gov/tlpa.
  - In May, staff plans to continue to pursue outreach.

- All comments submitted during the process will be summarized and included in the Board's summary.
- The Board will receive the summaries of public comments in June, as well as any recommendations based on feedback and comments on the project scope.

#### Third quarter tasks include:

- Seek guidance from Board on finalizing the project scope.
- Convene an expert workgroup or an advisory committee to provide DNR with further research and development of legislative and Board policy ideas.

Ms. Kristen Ohlson-Kiehn requested feedback or comments on the update. The Board offered no comments nor requested additional information.

 Mr. Brodie shared information on the conversation planned at the Board's May meeting focusing on old growth and older forests. The timeframe may shift dependent upon the availability of staff resources dedicated to work on the Eastside Sustainable Harvest and the upcoming Westside Sustainable Harvest in the next six months. Policy conversations with the Board on the Trust Lands Performance Assessment will be intertwined within those efforts.

Commissioner Peach commented on the opportunity to update the Policy for Sustainable Forests based on some recommendations that could be presented. He asked how staff would incorporate recommendations and conversations with the Board into changes to the Policy for Sustainable Forests. Mr. Brodie advised that the Board will receive a series of options to consider and any updates could be generated from current sustainable harvest calculations and ongoing work involved in the Trust Lands Performance Assessment with recognition that the Policies for Sustainable Forest are nearly 15 years old. Staff plans to provide an in-depth review at the May meeting and future meetings to assist the Board in identifying how the existing policies interact with other policies and in combination with the Habitat Conservation Plan.

Director Brown commented on the timing of any policy changes with respect to the review of the Trust Lands Performance Assessment and ways the performance has been pursued and evaluated with respect to the policy framework. He asked whether available capabilities of the agency have been incorporated in the Policy for Sustainable Forests prior to considering any additional changes. Mr. Brodie replied that the framework for the policy and how they interact with other policies provided staff with an enormous amount of flexibility. However, based on decisions in 2019, DNR has been constrained because of the Marbled Murrelet considerations, which has impeded taking advantage or exploring all available flexibility. The recent discussions surroundings older forests and older trees serve as a reminder of issues that should be explored.

Mr. Cahill acknowledged DNR for efforts to review older forest policies and for scheduling a review with the Board in May. He encouraged staff to update the website and include more information about public engagement and comment opportunities. He reminded everyone that more options are available other than harvesting more trees as a way to raise more revenue and is encouraged that the Board and public can and should explore other options and offer ideas on improving the management of revenues and sales of properties to increase revenue to the trust.

Chair Franz added that the work underway with wind and solar by the state provide a substantial opportunity for generating more revenue for schools and counties, along with other activities supporting housing, commercial, and industrial development in urban growth areas as a way to meet the requirements of the Growth Management Act.

Dean Wright supported Mr. Cahill's comments and thanked Mr. Brodie and staff for the update and for proposing a flexible timeline to enable more public comment.

Dr. Brown said he appreciates the opportunity to review the full policy framework and how policies interact as the Board reviews performance and sustainable forest management policies.

## ADJOURNMNET

13 Chair Franz adjourned the meeting at 11:33 a.m.

1	Approved this Holday of May, 2021  Hilary S. Franz, Washington State Commissioner of Public Lands
	Approved via webinar
	Jim Cahill, Designee for Governor Jay Inslee

# <u>Absent</u>

Chris Reykdal, Superintendent of Public Instruction

## Approved via webinar

Bill Peach, Commissioner, Clallam County

## Approved via webinar

André-Denis Wright, Dean, College of Agricultural, Human, and Natural Resource Sciences, Washington State University

## Approved via webinar

Dan Brown, Director, School of Environmental and Forest Sciences, University of Washington

Attest:

Tami Kellogg
Tami Kellogg, Board Coordinator

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net

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