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**Minutes**  
**Board of Natural Resources Meeting**  
February 1, 2022  
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

Dr. Richard Koenig, Interim Dean, College of Agricultural, Human, and Natural Resource Sciences,  
Washington State University

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1 **CALL TO ORDER**

2 Chair Hilary Franz called the meeting to order at 9:00 a.m.

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4 Board members present provided self-introduction. A meeting quorum was attained.

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6 **WEBINAR FORMAT BRIEFING**

7 Ms. Tami Kellogg, Board Coordinator, provided an overview for viewing and participating in a  
8 webinar meeting.

9  
10 Angus Brodie, Deputy Supervisor for State Uplands, advised the Board of a meeting format  
11 change limiting public comments to two minutes per speaker for a public comment period not  
12 exceeding 60 minutes to provide a balance for public comments and the Board's work.

13  
14 **APPROVAL OF MINUTES**

15 Commissioner Franz called for approval of the minutes for the January 4, 2022 Regular Board of  
16 Natural Resources meeting.

17  
18 MOTION: Dr. Brown moved to approve the minutes.

19  
20 SECOND: Commissioner Peach seconded the motion.

21  
22 ACTION: The motion carried unanimously.

23  
24 **LIGHTNING TALK**

25 **Forest Certification**

26 Allen Estep, Assistant Division Manager, Forest Resources Division.

27

1 Mr. Estep briefed the Board on forest certification of DNR managed forest trust lands. Certified  
2 forests are grown to an approved set of standards to demonstrate adherence to environmentally,  
3 responsible, socially beneficially, and economically viable management practices promoting  
4 sustainable forestry. Certification is a voluntary and non-regulatory approach to receive third  
5 party recognition for sustainable forest management. The global forest products marketplace  
6 recognizes and endorses multiple forest certification standards. DNR is certified by the  
7 Sustainable Forestry Initiative (SFI) and the Forest Stewardship Council (FSC). SFI is a non-  
8 profit organization certifying forests and wood products in Canada and the United States with  
9 international endorsements by other certification programs. The SFI program is based on the  
10 premise of responsible environmental behavior and sound business decisions coexisting. FSC is  
11 a non-profit organization promoting responsible management of the world's working forests.  
12 FSC certifies forests and wood products internationally with national representation.

13  
14 Mr. Estep displayed an aerial map of DNR forest trust lands. All 2.4 million acres of DNR  
15 managed forest state trust lands are certified by SFI and 176,000 acres in the South Puget HCP  
16 Planning Unit are certified by FSC. DNR managed forests have been certified under the SFI  
17 standard since 2004 in Western Washington and statewide since 2006 and under the FSC  
18 standard since 2007. DNR certified land to SFI first because it is a common certification for  
19 some of the agency's purchasers, and at the time, FSC required a certified management plan.  
20 DNR delayed certification until the South Puget Forest Land Plan was completed before  
21 pursuing FSC certification in 2007.

22  
23 Certified forests are grown to an approved set of standards to demonstrate adherence to  
24 environmental, social, and economically viable management practices. Both the SFI and FSC  
25 forest management standards encourage integration of perpetual growing and harvesting of trees  
26 with strong measures to protect wildlife, plants, soil, water, and air quality.

27  
28 Mr. Estep described details of SFI and FSC standards. Both standards require adherence to a set  
29 of principles and objectives. The SFI forest management standard includes 13 principles and 17  
30 objectives. The objectives include performance measures and indicators for measuring DNR  
31 forests. Forest management decisions need to consider a suite of objectives that are  
32 appropriately responsive to the unprecedented changes to the forest caused by climate change.  
33 These include management for wildfire risk, maintaining landscape diversity for wildlife and  
34 recreation, maintaining growing forests for removing carbon from the atmosphere, and providing  
35 a sustainable resource for rural communities that rely on forest-based economies. FSC  
36 developed a set of 10 principles and 57 criteria of forest management standards applicable to  
37 FSC certified forests around the world. The criteria include indicators, of which DNR is  
38 measured against. Auditors have deemed DNR meets both sets of standards through the  
39 agency's existing HCP policies and State Forest Practices Rules at the stand and landscape  
40 levels.

41  
42 Certification under each standard includes an inspection audit of forest management activities by  
43 an independent accredited third party to verify achievement of specified forest management  
44 principles. If the forest unit complies with the specific standard, the landowner receives a  
45 certificate of conformance ensuring responsible forestry is practiced. Both standards encourage  
46 integration of perpetual growing and harvesting of trees with strong measures to protect wildlife,  
47 plants, soil, water, and air quality. Both standards provide a seal of approval certifying forests are

1 well managed. Certification enables DNR to increase its customer base and provide choices to  
2 the consumer. Each certification requires an annual audit of both a documentation review and  
3 field tours. FSC audits are conducted annually in the South Puget Sound Region and SFI audits  
4 are conducted annually in two different regions each year.  
5

6 Mr. Estep reviewed details of the documentation review and field visits of an audit. Following  
7 certification, chain of custody is the tracking mechanism for products from the certified forest to  
8 the consumer. It is a process enabling businesses to participate in the forest certification system  
9 and provides opportunities to the business and its customers. Chain of custody is the process by  
10 which the source of a forest product is verified. Chain of custody must be maintained at each  
11 step of the product for the end product to be considered certified. DNR is only involved in the  
12 forestry portion of the chain of custody and identifies which certification is applicable to a  
13 harvest unit in its marketing and provides delivery documentation for timber leaving a DNR  
14 timber sale. Maintaining forest certification assists DNR in focusing on sustainability by having  
15 an independent audit of agency policies and practices annually.  
16

17 Mr. Estep invited the Board to visit the webpage which links the annual third party audit reports.  
18 He invited questions from the Board.  
19

20 Dr. Brown asked whether the agency has received any market value from certification. Mr.  
21 Estep advised that the agency surveyed purchasers but was unable to identify if there is a direct  
22 increase in bids; however, purchasers value the agency's certification within their business  
23 model. The intent is to help purchasers increase business opportunities while also increasing the  
24 agency's bidder pool.  
25

26 Dr. Brown asked whether the areas certified by FSC have affected the bidder pool or market  
27 behavior. Mr. Estep replied that some FSC certified companies purchase timber within the area  
28 of certification. It is difficult to ascertain if those companies are utilizing the certification as part  
29 of its end product or for potential opportunities in the future.  
30

31 Dean Koenig asked whether DNR has offered recent non-certified timber sales, and if so,  
32 whether there is an iterative process to certify proposed timber sales. Mr. Estep explained that  
33 both certifications are audited annually and all timber sales are certified.  
34

35 Dean Koenig asked whether the SFI objective for climate smart farming is a zero-net target or a  
36 different goal because of the climate crisis. Mr. Estep said the objective is not prescriptive and is  
37 applicable to the agency's program recognizing the values of carbon and climate change  
38 resiliency. DNR completed a plan for climate resilience and a carbon inventory to demonstrate  
39 how the agency is achieving those objectives. The target is not a prescriptive quantitative target.  
40

#### 41 **PUBLIC COMMENTS**

42 **Devon Cummiskey** spoke in opposition of DNR's proposal to clearcut logging of mature  
43 unplanted forests on public state lands as the planet is at a tipping point of climate change.  
44 Within six months, Whatcom County experienced the hottest temperature ever recorded and  
45 within the surrounding areas may people lost their lives to heat waves and floods. As a former  
46 resident of Alaska, that state has experienced terrifying and extreme climate fluctuations. Last  
47 month, temperatures ranged from 16 to 67 degrees Fahrenheit, a summer high in her childhood.

1 As a nineteen year-old, she has witnessed more changes in the climate than older generations  
2 have experienced in their lifetime. It is crucial to stop unsustainable resource extractions and  
3 decrease carbon output now. Unplanted forests are vital in the fight against climate change as  
4 they sequester carbon, absorb heat and water, and protect watersheds. Those forests are different  
5 than the tree plantations created in the wake of logging that comprises most of Western  
6 Washington's forests.

7  
8 **James Loucky** commented that he visited the Upper Rutsatz with high school students from  
9 Intergenerational High School in Whatcom County. It was wonderful to visit the area and view  
10 the end of the Van Zandt Dike, which drains into the middle and north forks of the Nooksack  
11 River. Although the area is relatively small, it is located on top of a mountain. During recent  
12 flooding, he recognized the importance of viewing the area through the lens of a river rather than  
13 from a straight line or property line perspective. He suggested a similar process is necessary as  
14 recently conveyed by local officials on the importance of considering the totality of mountains  
15 and river systems. The area is a critical piece of land and although it is small, it is a matter of  
16 principle. It is not time during climate change to cut down legacy forests, especially in places as  
17 critical as the Upper Rutsatz area.

18  
19 **Mike Town, representing the Sierra Club**, shared his perspective of DNR timber sales  
20 containing legacy trees by summarizing the process, which is repeated and has been ongoing for  
21 several months. The results of those sales have increased carbon dioxide, DNR's reputation  
22 takes a hit because of how it speaks to the issue, and more citizen activists continue to participate  
23 in the process and testify to the Board. He suggested stopping the cycle and immediately  
24 restricting sales containing legacy trees.

25  
26 **Peter Goldman, Washington Forest Law Center**, commented that credible forest certification  
27 can and should be an incentive and a financial reward for conducting exemplary forest  
28 management - management that best sequesters carbon and water, biologically conserves old  
29 legacy forests, and produces forest products. Mr. Estep implied that SFI and FSC forest  
30 certification systems are the same, similar to Coke and Pepsi. As a 25-year practitioner of  
31 applying science and legal details to SFI versus FSC, choosing between FSC and SFI is not a  
32 Coke Pepsi-like choice. FSC is a forestry system with explicit prescriptions on how to conduct  
33 truly environmentally-friendly and sustainable forestry practices. In contrast, SFI is vague with  
34 no standards for management principles and certifies virtually any lawful industrial forestry  
35 practice. He suggested asking any major forest landowner whether SFI requires them to do  
36 anything different on the ground. He believes the answer would be "no." He asked the Board  
37 not to approve the Pivot timber sale as the Board is allowing DNR to rewrite and essentially  
38 blow off its commitment to goals for achieving and maintaining 10% to 15% of its forests in an  
39 old structural complex condition. It is biologically and legally ludicrous for DNR to argue that it  
40 can cut down 100-year old forests today and meet DNR's older structural forest goals based on a  
41 promise of re-growing forests by 2070. He asked the Board to direct DNR to stop presenting  
42 sales containing structurally complex older forests.

43  
44 **Alexander Harris, resident of rural Whatcom County**, said he is presently in the location of  
45 the Upper Rutsatz timber sale where old structurally complex forests are located. With snow  
46 falling all morning he can hear the north and south forks of the Nooksack River off in the  
47 distance and is looking at trees easily exceeding four feet in diameter lacking any blue spray

1 paint, which are planned to be harvested. Dozens of trees of cedar, hemlock, and Douglas fir are  
2 easily over 100 years old based on the old growth assessment and in the SEPA Checklist  
3 prepared by DNR for the sale. DNR estimates the stand originated in 1890 and recently decided  
4 to suspend the sale. It took many months for DNR to locate the discrepancy. DNR has  
5 committed to suspend timber sales containing forests predating 1900. He asked Commissioner  
6 Franz and the Board to develop a plan for handling structurally complex legacy forests. Climate  
7 change demands a new approach to forest management.  
8

9 **Beverly Parsons, resident of Hansville**, said she is speaking on behalf of Mother Earth and the  
10 rights of forests to live and thrive. She questioned why DNR is killing and destroying forests.  
11 Forests in their wholeness keep life alive. She asked the Board to pause the destruction of the  
12 very lungs of earth until the Board has spoken with others on how the agency is damaging the  
13 core cycles of life itself. She asked for consideration of the whole life of a complex forest. Time  
14 is lacking on the planet for forests to start at zero.  
15

16 **Brady Dier, Washington Public Employees Association (WPEA)**, works as a forester for  
17 DNR but is not speaking on behalf of the agency. During prior meetings, critics and others  
18 commenting about the work his colleagues perform insinuated they were representing the views  
19 of DNR staff. WPEA and its sibling union, Washington Federation of State Employees, are the  
20 exclusive representatives of DNR's foresters, biologists, and other natural resource professionals.  
21 Outreach and widespread engagement is critical in the management of state trust lands, but there  
22 has been routine disparagement and disengagement of working class voices and organized labor.  
23 Abandoning timber harvests on state lands directly threatens the livelihood of DNR staff and  
24 those working in the forest products industry. Suggestions that workers can retrain for a  
25 different career forgets the historical example of the dislocated timber worker program, which  
26 many regard as a failure. If there is to be a just transition to a more sustainable economy then the  
27 material interests of the working class must be front and center. He and others are on the literal  
28 frontlines of climate change each fire season. All employees are proud of the work they  
29 accomplish. The HCP represents how the agency has gone beyond the law to do its part.  
30 Loggers are proud of the work they complete on trust lands because of those safeguards.  
31 Comparing trust lands to how most forests are managed in the state and beyond such as  
32 clearcutting old growth in Alaska and British Columbia, southern plantations, or forests in  
33 Siberia makes it clear that DNR practices sustainable timber management. He asked not to  
34 discount the interests of working class people moving forward.  
35

36 **Brel Froebe, resident of Bellingham**, thanked DNR for suspending the Rutsatz timber sale and  
37 listening to hundreds of people who spoke against clearcutting a legacy forest with a remnant of  
38 old growth trees bordering the Nooksack River watershed. For some reason, the timber sale  
39 completed the regulatory process with a determination of existing trees older than 1900. He is  
40 grateful DNR listened to the public when it spoke out in defense of the ecologically significant  
41 legacy forest. He thanked the Board for its thoughtful discussion on the old forest policy. The  
42 Board discussed 10,000 unprotected acres of forests 120 years or older. The age of 120 years  
43 was suggested by Superintendent Reykdal and Commissioner Franz. He agreed with  
44 Commissioner Franz's comments that identifying a specific age involves assessment of the  
45 ecological function an older forest provides, which is essential in the context of climate change  
46 as choosing an arbitrary age is inadequate in the context of climate change, biodiversity, and  
47 watershed health. He urged the Board to create an older forest policy based on forests that are

1 unplanted and naturally regenerated to enable the best chance of creating more forests of old  
2 growth characteristics. Approximately 80,000 acres remain of unprotected older forests on DNR  
3 managed lands or less than 5% of the total forested lands managed by DNR. No one arguing for  
4 the protection of older forests is arguing against logging. The argument is for the protection of a  
5 small sliver of forest land that has huge ecological benefits for the state. Research reveals  
6 naturally regenerating forests in the Pacific Northwest sequester more carbon than any other  
7 forests in the world. He asked the Board to look beyond short-term economic gains and make an  
8 older forests policy that benefits future generations.  
9

10 **Bill Turner, Sierra Pacific Industries**, cited the company's facilities in the state. The DNR  
11 timber sales program is vitally important not just to the company but to the communities. When  
12 DNR withdraws timber sales planned for more than a year, it creates impact far beyond the loss  
13 of stumpage value. The Upper Rutsatz timber sale in Whatcom County is the most recent  
14 example. With the withdrawal of the sale, DNR's withdrawal of sales total eight during the  
15 fiscal year is approximately 12% of the 2022 fiscal year timber sale program. All lands are  
16 included in the HCP and certification systems. With the passage of marbled murrelet long-term  
17 conservation strategy in 2019, the Board deliberated and released all acres for timber sales. He  
18 questioned why the agency did not follow the Board's direction when it adopted the long-term  
19 conservation strategy. The Board and DNR should offer timber sales that have been postponed.  
20

21 **Carly Lloyd, Student, Western Washington University**, spoke in opposition of DNR's  
22 proposal to clearcut logging of mature unplanted forests on public state lands. She recently  
23 moved to Washington and has fallen love with the wilderness of the Pacific Northwest. She  
24 visited the legacy Rutsatz area and was overcome by the diversity of trees and plants. She  
25 supports pausing of the sale and hopes the Board will elect to save the forest permanently. She  
26 asked the Board to adopt a moratorium for all DNR managed timber sales of naturally  
27 regenerated forests prior to 1945.  
28

29 **Andy Zahn, resident of rural Southwest Washington**, asked the Board to recognize and act on  
30 the urgent need to reform how forests are managed. While the Board has taken some small steps  
31 for reforming DNR's older forest policies, more action is needed. All legacy forests naturally  
32 generated prior to 1945 must be set-aside and protected by a permanent moratorium on logging.  
33 Setting aside those remaining forests would not significantly impact DNR's ability to provide  
34 timber revenue to stakeholders. The Board should cancel all sales of legacy forests as they  
35 sequester more carbon, are more resistant to wildfires, provide better habitat for endangered  
36 species, and do more to reduce regional drought and extreme temperatures in timber plantations.  
37 Protecting legacy forests would be beneficial to the environment and to communities at  
38 negligible financial cost.  
39

40 **Court Stanley, representing the Washington State Association of Counties**, spoke to forestry  
41 issues impacting counties. The counties published a report on financial and economic impacts of  
42 marbled murrelet conservation strategies on lands managed by DNR in August 2021. The report  
43 detailed significant financial cost to a few rural counties because of DNR's obligation to comply  
44 with the Endangered Species Act (ESA). The economic burden of ESA compliance when it  
45 affects public land should be borne by everyone and not just a few counties dependent on DNR  
46 revenue. It is important to discuss mechanisms to share costs across the state rather than having  
47 individual communities and counties pay the bill benefitting the entire state. Any further

1 reduction in harvesting on state DNR land would have a compounding effect on rural  
2 communities including the millions of acres of small forest landowners dependent on loggers and  
3 the mills that purchase DNR timber. The threat of conversion is real and it is important rural  
4 economies do not suffer any more than they have already. Many of those communities have a  
5 lower per capita income than in other regions and can least afford the reductions. Sustainability  
6 has three legs of environment, financial, and social. Much focus is placed on environmental and  
7 financial while sustainability is ignored for rural communities. DNR in partnership with private  
8 companies, colleges, and citizens has a responsibility to balance those three legs of the stool.  
9

10 **Dakota Rash** spoke to the existential crisis threatening the vision of a happy livable future and  
11 unfortunately how old growth forests are logged with no solid plan on how to retain a sufficient  
12 number to help save the environment. An analogy of the situation is seeing a cliff and hitting the  
13 gas or perhaps sabotaging the brakes. It is possible to do better and transform by suspending  
14 current actions and discounting the science produced by those who seek to profit from cutting  
15 timber. It is not that difficult to differentiate by following the money. It is important to save  
16 existing forests. He encouraged the Board to eliminate entrenched thinking that working forests  
17 are only those that provide monetary gain. Forests provide the ability to have a livable and  
18 enjoyable future in the state by sequestering carbon and holding soil. The best forests are  
19 ecologically diverse and complex old growth forests. In return, they need to live. Although he  
20 has confidence that it will occur, it is important to start now.  
21

22 **Daniel Harm** said he lives near the Upper Rutsatz parcel. A major part of the global trajectory  
23 is about moving towards a higher level of necessary collaboration if there is any chance of  
24 overcoming the climate crisis. The beauty of pausing any life's challenging moments is that it  
25 allows reflection, synthesis, and a more thorough understanding of the challenge at hand. Short-  
26 term revenue gain from clearcutting native older forests in this climate crisis needs to be  
27 reassessed, especially considering that most of the public are not aware of what is occurring.  
28 Most people do not realize DNR has a diverse assembly of some of the most brilliant minds in  
29 ecology to assist the Department. An economically viable solution that genuinely protects older  
30 forests is possible. The legacy forests movement is just beginning and new tools and new  
31 resources are available to create new models. Now is the time for change and to set new  
32 precedents and new policies. Looking at the larger economic equation of the future utilizing  
33 older native forests for habitat, carbon storage, and water storage is monetarily worth more than  
34 short-term revenue gain from clearcutting native older forests. Considering the delicate social  
35 chain of financial dependence on timber extraction built by an outdated model, the state has the  
36 wealth and the innovative intelligence to navigate necessary change. It is everyone's  
37 responsibility to move forward and create a new model that respects the power of older forests.  
38

39 **Doug Cooper, Hampton Lumber**, cited the location of Hampton lumber mills within the  
40 communities of Darrington, Morton, and Randall operating from a supply of timber from DNR  
41 managed lands and critical to the ongoing success of those mills. He cited the Board's January  
42 meeting where staff presented information on compliance with the policy framework and  
43 requirements related to older forests. Staff presented data covering the projected acres by age  
44 class of forested lands managed under the Habitat Conservation Plan. Following those  
45 presentations, the Board engaged in discussions on the scope of existing and potential future  
46 policy choices for management of DNR lands. Individually and collectively, the Board  
47 recognized and acknowledged its obligation to the trust mandate by providing revenue to

1 beneficiaries through a sustainable harvest, the role of management and investment to improve  
2 forest productivity health and restoration, the critical importance of DNR timber harvest volume  
3 to the economic health of rural communities, maintenance of existing infrastructure, and the  
4 contribution of DNR forest land rotational timber harvests in the manufacture of wood products  
5 to achieve the maximum benefit of carbon sequestration and storage. Any reduction in timber  
6 harvest volume in the state would result in an equivalent harvest somewhere else in the world to  
7 meet demand with no net benefit of mitigating climate change and likely at some cost. The  
8 population of the state is growing and so are the demands for housing and recreation.  
9 Maintaining hard working forest lands supports meeting those demands. Despite those  
10 acknowledgments, the Board expressed interest in considering policy changes that would result  
11 in deferral of harvest in favor of certain low value cover markets and further removal of acres  
12 from the operable land base. He urged the Board to remain committed to the policies that  
13 achieve the primary obligations of the trust responsibility.  
14

15 **Rob Lewis** requested pausing Unit 2 of the Bessie Sorts timber sale. During a visit to the site, he  
16 recognized how different it is from the tree plantations surrounding the area. Though the  
17 plantations were thick with trees, little was visible of habitat or food. Yet, in Bessie, food and  
18 habitat proliferated in all directions. The biodiversity crisis is about cutting places like Bessie  
19 and converting them to tree plantations. According to Greenpeace, the so-called Sustainable  
20 Forestry Initiative (SFI) is a classic example of false advertising misleading both businesses and  
21 consumers. The Sierra Club advises that any company associating its brand with SFI is  
22 complicit in destroying forests and misleading the public. He questioned the argument that  
23 timber harvesting is good for carbon sequestration because it traps carbon in wood; however,  
24 45% of the carbon remains in limbs, stumps, and roots. Approximately 25% more is lost during  
25 milling. A 2014 study reflects how as typical trees grow, carbon capacity continues to accelerate  
26 throughout its life. The argument that older forests objectives will be achieved in the future,  
27 such as 2090, is meaningless because biodiversity and climate crisis is occurring now.  
28

29 **Mark Falcone** conveyed appreciation for temporarily halting the Rutsatz timber sale. His  
30 concerns are similar to other speaker's concerns, as well as why forests are being harvested in  
31 areas benefitting the state rather than just providing lumber. He struggles with the amount of  
32 older forests missed during an assessment because it is problematic when four to five-foot  
33 diameter trees are not being marked appropriately and have not been identified. His concerns  
34 surround whether DNR is representing his interests appropriately with respect to how the  
35 Department is responding to the climate crisis.  
36

37 **Greg Barkmann, resident of Thurston County**, reported he is a member of the Legacy Forest  
38 Project and supports the approach of suspending certain sales until further evaluation to identify  
39 potential legacy forests. He believes there is an urgent need to protect existing legacy forests and  
40 expand them whenever possible. The Board should not consider a bundle of parcels jointly but  
41 examine each sale individually and seek information on the potential of each parcel transitioning  
42 to a legacy forest or containing legacy trees. If the parcel is identified as a potential legacy, the  
43 Board should not vote to approve the sale. If the Department has not examined the potential, the  
44 Board should not approve the sale and continue voting against sales until the current legacy issue  
45 is resolved by the Department to enable immediate and effective protection of legacy forests with  
46 minimal effect on the flow of revenue to trustees. It would also demonstrate to the public and to  
47 the Department that the Board wants a successful sustainable forest policy.



1  
2 **Heath Heikkila** thanked the Board for its service and questioned the source of lumber if the state  
3 no longer produces lumber. In 2019, the U.S. demand for lumber was 47 million board feet with  
4 30% of that amount imported despite having the best growing forests in the world. Lumber was  
5 imported from Russia, Chile, Germany, and Sweden. Many of those countries practice illegal  
6 logging, such as Russia. The Department has allocated 50% of the land and 60% of the lumber  
7 volume for conservation. There is no better place to produce forest products responsibly than in  
8 Washington State. If not, lumber will be imported from Russia or concrete and steel will  
9 increase in use, which will impact climate change. Finally, the dueling science on climate  
10 change can be confusing. The International Panel on Climate Change issued a statement that the  
11 sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks  
12 while producing an annual sustained yield of timber, fiber, or energy from the forest will  
13 generate the longest sustained mitigation benefit.

14  
15 **Judith Akins** said she lives near Lake Whatcom in Bellingham. She voiced opposition to  
16 logging legacy forests and is concerned about logging around Lake Whatcom as she walks  
17 frequently along the trail of the north shore with steep cliffs and clear cuts above the trail. The  
18 trail is frequently closed following heavy rains because of landslides. She is concerned about  
19 runoff from streams, the Nooksack River, and Lake Whatcom. Sediment can be deposited with  
20 harmful phosphates and other pollutants that warm streams and kill salmon. Protecting legacy  
21 forests can enhance the resilience of watersheds, fisheries, communities, and reduce climate  
22 change while preserving the natural heritage of the area for future generations. She opposes  
23 placing time limits on logging activity as the report on Definition and Inventory of Old Growth  
24 Forests on DNR-Managed State Lands released in June 2005 states that although stand age is  
25 often used to identify old-growth forest; it is actually the level of structural development that is  
26 critical to ecological function. The state should manage for biodiversity, habitat, recreation, and  
27 many other benefits and save legacy forests, especially Bessie Sorts. There are sufficient tree  
28 plantations to cut. Saving forest remnants is critical to preserve the natural, genetic, and  
29 biological diversity of the region and to improve the resilience of forests to climate change. It is  
30 not necessary to cease all timber harvesting on state-managed lands to achieve positive outcomes  
31 for biodiversity and trust beneficiaries.

32  
33 **Jillian Froebe** said her comments are reflective of previous comments and are influenced by the  
34 reality of the climate crisis, as well as the call for the state to be a leader in protecting legacy  
35 forests, eliminating all clearcutting, protecting wildlife habitat, recreation opportunities, and  
36 carbon storage side by side with sustainable timber production. Many of the previous speakers  
37 are not advocating for the cessation of lumber production but rather are requesting a vote and  
38 approach. As a follow-up to the pause on the Upper Rutsatz timber sale, the Board should adopt  
39 a permanent moratorium for all DNR-managed timber sales in all older forests to enable the  
40 Board to work with staff to assess how the Department can meet its obligations to trust  
41 beneficiaries while also complying with commitments to protect old and mature forests on state  
42 land. Scientific research has found that timber plantations on the westside are more prone to  
43 uncharacteristically severe wildfire when compared to naturally regenerated forests.

1 **Jim Stoffer, Director, Sequim School Board, representing the WSSDA Trust Lands**  
2 **Advisory Committee**, thanked the Board for its collaboration and partnership on behalf of the  
3 1.2 million students in schools. Several bills before the Legislature support learning, educational  
4 support, and safety for students.  
5

6 **John Talbert, Center for Sustainable Economy**, said the organization's partners have filed  
7 letters of opposition to the proposed March timber sales because climate impacts were not  
8 considered despite the timber sales likely generating significant quantities of greenhouse gas  
9 emissions and making the land more vulnerable to the effects of climate change. The letters  
10 include extensive citations to methods and sources of information available to DNR to complete  
11 a rigorous analysis of climate impacts on a timber sale basis accounting for three major types of  
12 impacts. He described the three major impacts and suggested it was irresponsible for the Board  
13 to continue to ignore climate impacts. The Board should withdraw the Determinations of Non-  
14 Significance for the cited timber sales and pursue work developing climate-smart alternatives to  
15 the projects.  
16

17 **Lee Milner, resident of Whatcom County**, said he has been involved in environmental issues  
18 since 1977 and worked with the University of Idaho on drought and electric issues in 1997. He  
19 is surprised that Lake Whatcom, providing drinking water to 100,000 people, has not been  
20 mentioned as it has been defined as an impaired water supply. He is concerned about the  
21 drinking water for the population and has applied for a position on the Lake Whatcom Water  
22 Quality Advisory Board. He supports the resources and positions on logging as it can change the  
23 dynamics of logging. He is familiar with Commissioner Franz's environmental support and is  
24 hopeful the Board will change the dynamics and limit logging.  
25

26 **Mary Jean Ryan, resident of Jefferson County**, urged the Board to enact a strong, older forest  
27 policy and base it on good independent science. The Board should halt any further sales of  
28 legacy forests until a new policy is implemented to include Bessie Sorts, Upper Rutsatz, and  
29 many others mentioned previously. The Board should define older forests by ecological function  
30 and not just stand age. Any science-based definition must consider multiple dimensions of forest  
31 ecological functions including watershed impacts. Using only age-based definitions risks  
32 clearcutting structurally complex forests. She referred to the discussion of mature forests in the  
33 2005 report on Old Growth Definitions authored by highly respected forest scientists. The Board  
34 should also be guided by Commissioner Franz's perspective on the issue as stated in the March  
35 21, 2021 newspaper article on older forests policy.

36 **Matt Comisky, American Forest Resource Council**, acknowledged DNR professional field  
37 staff for working to provide certainty to the beneficiaries and their customers. However, in terms  
38 of policy, certainty is promised but rarely occurs except for ignoring the undivided loyalty and  
39 other trust manager obligations of the Department and the Board. He cited actions and planning  
40 processes completed by the Department that were to provide certainty but did not; rather, the  
41 only certainty is the continual reduction to beneficiaries and their customers and constant further  
42 removals from management and revenues for the beneficiaries. In terms of the prior  
43 conversation on certification, he is aware the Department is working on an economic analysis of  
44 the impact of Superintendent Reykdal's proposal to remove 120-year old timber from  
45 management. The Department inability to answer whether it receives any premium for any

1 certified wood during sales is troubling to him as the Department often completes poor economic  
2 impact analysis in terms of understanding customers and its beneficiaries that it serves.

3 **Miguel Perez-Gibson, Washington Environmental Council**, acknowledged Mr. Estep for the  
4 presentation on the forest certification. As stated, the South Puget Sound unit is the only  
5 landscape FSC certified. To understand why DNR employs two certification systems, one  
6 journalist asked who is peddling pulp fiction in the SFI certification. SFI was launched in 1995  
7 as a voluntary code for members of the American Forest Paper Association. In 1993, the FSC  
8 certification standard was developed by the World Wildlife Fund. FSC emphasizes the outcomes  
9 in the forest while SFI emphasizes plans or programs that may or may not lead to outcomes in  
10 the forest. He attended one of the founding meetings in England in the late 1990s when DNR  
11 adopted the HCP and contracted with a scientific certification systems to determine whether over  
12 a million acres of state forest land under the HCP would qualify for certification. Although the  
13 answer affirmed the possibility, a change in DNR administration did not present a request to the  
14 Board for approval. He asked the Board to explore the option of FSC certification for the  
15 remaining HCP management units.

16 **Susan Kane-Ronning, resident of Bellingham**, reported she helped create and served as the  
17 first president of People for Lake Whatcom and authored the application for Lake Whatcom to  
18 be listed on the 303(d) list of the Clean Water Act (Impaired Waters and Total Maximum Daily  
19 Loads (TMDLs). She participated in the lawsuit against Water District 10 for sewage overflows  
20 into Lake Whatcom. The settlement resulted in the purchase of the Stimpson Reserve. Despite  
21 mandated remediation, Lake Whatcom's water quality, serving as the region's drinking water  
22 supply, continues to deteriorate. Basin 3 holds 96% of the lake's water and would be impacted  
23 by the Bessie timber sale. Basin 3 is contributing increased levels of phosphorus into Lake  
24 Whatcom. Studies reveal clearcuts release increased phosphorus, nitrogen, and suspended solids  
25 into tributaries and water bodies. Phosphorus loading increases excess plant and bacterial  
26 growth and decreases dissolved oxygen creating dead zones in the lake. Lake Whatcom is  
27 dependent on the health of its tributaries. Logging above impacts tributaries and lakes especially  
28 in steep areas, such as the Bessie Sorts. An archaic article in the 1889 State Constitution requires  
29 DNR to log 2.4 million acres of school trust forests to help pay construction costs for K-12  
30 schools and universities. Most of the money for school construction now comes from local  
31 bonds. In fact, at the January meeting, Superintendent Reykdal cited that if there is insufficient  
32 movement to identify alternative funding sources, he would seek other sources of funding from  
33 the Legislature. The profit gained by the timber companies is not negligible nor is the amount  
34 DNR receives for its bureaucratic management fee.

35

### 36 **TIMBER SALES (Action)**

#### 37 **Auction Results for January 2022 & Proposed Timber Sales for March 2022**

38 Tom Heller, Acting Assistant Division Manager, Product Sales & Leasing Division

39

40 Mr. Heller shared that the timber market has improved for logs as reflected in timber sales for  
41 January.

42

43 Mr. Heller presented the results of the January auctions. The Department offered ten sales with  
44 all sales selling totaling 46 mmbf. Sales totaled 20.2 million for an average of \$430 per mbf with  
45 three bidders per sale on average. Two sales were withdrawn and are being reoffered in

1 February. The sales are located in the South Puget Sound Region impacted by the recent  
2 snowstorm and severe winter weather at the end of December.

3  
4 Mr. Heller invited questions from the Board. Members offered no questions or comments.

5  
6 Mr. Heller displayed a graphic of the proposed seven timber sales in March totaling 34.5 mmbf  
7 at an appraised minimum bid of \$12.1 million for an average of \$340 million per mmbf  
8 representing a significantly higher amount than the January bids.

9  
10 Mr. Heller invited questions from the Board. No comments or questions were offered.

11  
12 Commissioner Franz requested approval of the proposed sales.

13  
14 MOTION: Commissioner Peach moved to approve the proposed sales.

15  
16 SECOND: Dean Koenig seconded the motion.

17  
18 ACTION: The motion was approved unanimously.

19  
20 **DREDGED MANAGEMENT MATERIALS PROGRAM (Action)**

21 **Dredge Material Disposal Fee Modification Rulemaking, Resolution #1587**

22 Tom Gorman, Interim Aquatic Resources Division Manager, Aquatic Resources Division

23  
24 Mr. Gorman presented proposed updates to Washington Administrative Code 332-30-166,  
25 modifying fees charged for dredge material management.

26  
27 The Aquatic Resources Division initiated the rulemaking process in early 2021. Over the last  
28 year, Division staff met with a number of interested stakeholders, conducted outreach, and  
29 developed the proposal shared with the Board in January. Staff recommends adoption of the  
30 proposed fee increase and minor language changes as reviewed by the Board.

31  
32 Mr. Gorman shared a table outlining the current fee schedule. To cover program costs, DNR is  
33 directed by the RCW to establish a rule for fees and adjust fees as necessary to cover the costs of  
34 the program. Current disposal fees are 45¢ per cubic yard for disposal in Puget Sound and 10¢  
35 per cubic yard for disposal in Grays Harbor. Fees do not cover current program costs and have  
36 not increased since 1995.

37  
38 During the rulemaking process, two comments were submitted. One comment requested  
39 increasing the fee in phases and capping the increase. The second comment supported the rule  
40 and increasing the fees sufficiently to cover future costs. Staff recommends increasing the fees  
41 effective July 1, 2022 to 75¢ per cubic yard for Puget Sound and 15¢ per cubic yard for Grays  
42 Harbor until June 30, 2025 with an increase of 95¢ per cubic yard for Puget Sound and 20¢ per  
43 cubic yard in Grays Harbor effective July 1, 2025. DNR staff also proposes minor changes to  
44 existing rule language to clarify obsolete language and improve consistency with current  
45 practices. The proposed changes are not substantive. Staff is seeking the Board's approval of  
46 Resolution #1587. Mr. Gorman invited questions.

1 With no questions or comments from the Board, Commissioner Franz requested consideration of  
2 a motion.

3  
4 MOTION: Commissioner Peach moved to approve Resolution #1587, Dredge Material  
5 Disposal Fee Modification as presented.

6  
7 SECOND: Mr. Cahill seconded the motion.

8  
9 ACTION: The motion was approved unanimously.

10  
11 Mr. Brodie provided an update on the status of analysis initiated on existing forests older than  
12 the 1990s. Staff has completed 80% of the analysis and should be prepared to present the results  
13 at the March meeting. The analysis focuses on confirming an estimate of acres affected across  
14 the land base, evaluation of land and timber, potential outcomes from any policy decisions for  
15 removing lands, impacts to the short-term sustainable harvest and potential impacts over the  
16 longer term, and calculation on carbon potential of the forests and its value in the carbon market.  
17 The final element of the analysis is evaluating potential infrastructure impacts.

18  
19 Mr. Brodie responded to questions from the Board and explained that the analysis would include  
20 an examination of regional impacts based on any policy decision(s) and potential alternative  
21 harvest methodologies. Unfortunately, information on potential impacts to junior taxing districts  
22 would not be available by March except the analysis would reflect impacts by county.

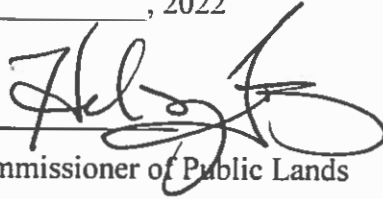
23  
24 Commissioner Peach asked whether information could be provided on how the rule on seed trees  
25 compares with leave trees as required in management plans. It may be possible for some stands  
26 to regenerate with larger trees. He is essentially seeking alternatives to plantation management  
27 through natural reseeded. Mr. Brodie advised that information on current rules could be  
28 provided to meet regeneration requirements. However, the current rule is a requirement to leave  
29 a specific number of trees per acre (193 trees) within a specific period after harvesting is  
30 completed. The Department must stipulate whether the remaining trees are through replanting or  
31 through natural regeneration. More details on the process and other research can be provided to  
32 the Board. He described how the term "plantation" is broadly interpreted and varies across the  
33 international landscape. DNR's approach to replanting is hand planting a variety of native  
34 species.

35  
36 Mr. Brodie advised of a presentation scheduled at the March meeting on the State of the State  
37 Lands Report – Part 1.

38  
39 **ADJOURNMENT**

40 Chair Franz adjourned the meeting at 10:45 a.m.

Approved this 1st day of March, 2022



Hilary S. Franz, Washington State Commissioner of Public Lands

Approved via webinar

Jim Cahill, Designee for Governor Jay Inslee

Approved via webinar

Chris Reykdal, Superintendent of Public Instruction

Approved via webinar

Bill Peach, Commissioner, Clallam County

Approved via webinar

Dr. Richard Koenig, Interim 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, Board Coordinator

Prepared by Valerie L. Gow, Puget Sound Meeting Services, [psmsoly@earthlink.net](mailto:psmsoly@earthlink.net)