



WASHINGTON FOREST PROTECTION ASSOCIATION  
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May 10, 2022

Washington Forest Practices Board  
1111 Washington St SE  
PO Box 47012  
Olympia, WA 98504-7012  
[Forest.practicesboard@dnr.wa.gov](mailto:Forest.practicesboard@dnr.wa.gov)

**Re: Principal's meeting, Master Project Schedule, Performance Audit Recommendations, Np Buffer Deliberations**

Dear Forest Practices Board Members:

Washington Forest Protection Association (WFPA) is a forestry trade association representing large and small forest landowners and managers of nearly four million acres of productive working forests, including timberland located in the coastal and inland regions of the state. Our members support rural and urban communities through the sustainable growth and harvest of timber and other forest products for U. S. and international markets. For more information about WFPA, please visit our website at [www.wfpa.org](http://www.wfpa.org). WFPA respectfully submits the following comments for the Forest Practices Board's (FPB) May 2022 meeting.

**Principal's Meeting**

WFPA would like to thank Commissioner Franz and Department of Natural Resource (DNR) staff for pulling together the recent two-day Principal's meeting. Principals' engagement in the Timber Fish & Wildlife/Forests & Fish (TFW/F&F) process is important for the long-term durability of the system. Key benefits of periodic leadership engagement include maintaining foundational TFW/F&F commitments/norms as organizational and personnel changes occur, building/maintaining relationships which are important for stability in an evolving environment and finding opportunities to collaborate on topics of mutual value. Day two of the recent meeting ended on a positive note with broad acknowledgement TFW/F&F has accrued significant benefits, a commitment to assist with resolving important Adaptive Management Program (AMP) topics, and a pledge to work together on broader issues outside of the forested environment, including ongoing salmon recovery efforts. This is an important first step and we look forward to ongoing work with Commissioner Franz and all TFW/F&F Principals.

WFPA acknowledges the procedural concerns expressed by some caucus representatives about cancellation of the special Forest Practice Board (FPB) meeting in April. We did not, however, interpret the cancellation as an attempt by DNR to appropriate the authority of the FPB. Rather, we viewed engaging the Principals as a means of diffusing conflict, finding opportunity to narrow the decision space, and setting the stage for an enduring agreement.

As a reminder, the current array of anadromous fish floor (AFF) alternatives represents divergent solutions to a poorly defined problem with no clear objectives. In addition, the AFF as a concept did not originate in the formal AMP, was not part of the water typing dispute resolution in TFW Policy, was not introduced into the AMP through the proposal initiation process, and none of the work on the concept since 2018 has been subject to the technical/procedural standards of the formal AMP. While the FPB did attempt to check the AMP process box in 2019 by asking TFW Policy if an AFF should be considered, that was the extent of AMP involvement. Reviewing the notes of the TFW Policy meeting when the AFF was discussed provides a glimpse into the concerns about lack of consistency with recognized and required process [bc\\_tfw\\_julymin\\_20190711.pdf \(wa.gov\)](#).

Given this backdrop, expecting the FPB to sort through the plethora of technically complex information and arrive at a reasoned decision consistent with the F&F performance goals all caucuses can live with does not seem rationale nor collaborative; rather the chances of deepening conflict and driving caucuses farther apart is high. Therefore, taking a bit of time for the Principals to familiarize themselves with the situation, seek some common ground, and help set the stage for future collaboration is worth the effort.

### **Master Project Schedule**

TFW Policy is providing a consensus recommendation to the FPB on adjustments to fiscal year (FY) 23 budget based on a large positive variance. A fair amount of the positive variance is due to staff vacancies and a substantial reduction in budget need for one CMER project with most of the remaining positive variance due to delays in project expenditures. While TFW Policy was able reach consensus on these mid biennium adjustments, reaching agreement on a proposed budget for next biennium by the August FPB meeting will be much more difficult. TFW Policy has differing opinions on the depth/breadth of knowledge of risk/uncertainty/context and does not have deep agreement on AMP project prioritization criteria. Therefore, determining the next priority topic area of scientific investigation is challenging. Some of this disagreement may be addressed through work on performance audit recommendations regarding net gains and decision criteria. However, that work is not due back to the FPB until November at the earliest which does not align with our need to forward a budget recommendation to the FPB in August. Some examples of the topic areas/questions TFW Policy is wrestling with include:

- Have we learned enough about landscape scale amphibian population viability?
- Should we investigate cost effective management of riparian zones to meet forest health, resiliency, and public resource protection objectives?
- Is understanding of landscape scale status/trends important to determining overall effectiveness of the F&F rules?
- Is determining watershed scale cumulative effects, biological response, and/or performance target validation needed sooner rather than later?

I have confidence TFW Policy will endeavor to provide a consensus recommendation on next biennium's AMP budget; however, given the time we have available and the challenging questions we need to answer, a non-consensus budget is a distinct possibility. It may be worthwhile for the FPB to discuss a contingency plan for that possibility and may be another opportunity for Principal engagement.

### **Clean Water Act (CWA) Assurance Milestones**

WFPA appreciates that the tone of Ecology's CWA assurance status memo is much less negative than past versions. Providing a bit more context about the milestone status would be a helpful addition to future updates.

There are 31 CMER related milestones; 21 have been completed, six are underway, three are off track, and one is not progressing. This translates into 87% of CMER milestones are either complete or underway, 13% are off track or not progressing. The decision to deprioritize the four milestones in the off track and not progressing category were AMP recommendations endorsed by the FPB, which includes affirmative votes by Ecology. There are 23 non-CMER milestones; 21 have been completed, one is underway, and one is not progressing. This translates into 96% of non-CMER milestones are either complete or underway and 4% are not progressing. Of the 54 total milestones 49, or 91%, are either complete or underway. Five milestones are off track or not progressing, 9%. Given this milestone status and the circumstances surrounding those milestones deemed off track or not progressing, the concerns about lack of progress on milestones appears misplaced.

Finally, if there is sincere interest in understanding the effects of the Forest Practices Rules on water quality over space and time as suggested in Schedule M-2 of the F&F Report, a much stronger emphasis should be placed on developing and executing landscape and watershed scale monitoring. We are hoping to see this emphasis in future CWA assurance milestone updates.

### **State Auditor's Office Performance Audit Recommendations**

WFPA supports evaluation and potential revision and/or clarification of the topic areas referenced in the Adaptive Management Program Administrator's memo on net gains options. While all topic areas are useful to consider, we are particularly focused on incorporating a structured decision-making approach, making better use of outside science, refining the proposal initiation process, and clarifying experience, skills, and expectations of CMER and Policy members. We look forward to working with other TFW Policy members to deliver specific recommendations in November.

The decision criteria recommendation is also assigned to the AMP, but no work has been initiated in TFW Policy on this topic. Specific recommendations are also due in November. Reviewing and refining, or in some cases developing, clear and cogent decision criteria, including timelines associated with different criteria, is no small task and is as much about policy as it is science. TFW Policy made at least one unsuccessful attempt at tackling this topic in years past and it was pointed out as one of several areas needing attention in the 2009 CMER science peer review. AMP staff and participants would do well to recognize the importance of this task and the time/effort necessary to do it well.

### **Np Buffer Alternatives Update**

TFW Policy received the final Hardrock II and Softrock study reports in January and accepted them in February. Stage II of dispute resolution on Np buffer alternatives related to the Policy response timeline on Hardrock Phase I was initiated in early April. We have eight different alternatives to consider, some with multiple components, and approximately two months remaining in dispute resolution to develop a consensus recommendation(s). TFW Policy can extend that timeline if all caucuses agree, but it cannot be extended by more than a few weeks and still meet our goal of delivering either a consensus recommendation or majority/minority reports to the FPB in advance of

the November meeting. TFW Policy has only just begun detailed discussions on potential decision criteria and the substantive merits of different proposals. While we are hopeful for a consensus recommendation to the FPB and committed to working towards that end, it is unclear if we will have adequate time to settle the different viewpoints enough to do so. WFPA recommends the FPB consider resurrecting the annual retreat, typically held in Fall, to focus an office and field day on Np buffer alternatives.

Authentically executing adaptive management is time consuming and hard, even in the best possible circumstances. It is why very few organizations actually put it into practice. We would all do well to keep this reality in mind and find ways to improve our execution of adaptive management rather than looking for ways around it.

Thank you for the opportunity to comment, should you have any questions I can be reached at [dcramer@wfpa.org](mailto:dcramer@wfpa.org) or (360) 280-5425.

Sincerely,

*Darin D. Cramer*

Sr. Director of Forest & Environmental Policy





P.O. Box 1010  
Chehalis, WA 98532  
Phone (360) 388-7074  
info@wafarmforestry.com  
www.wafarmforestry.com

April 24, 2022

Re: May 11<sup>th</sup> FPB meeting General Public Comments

Washington State Forest Practice Board  
P.O. Box 47012  
Olympia, WA 98504-7012

Chairwoman Smith and members of the Forest Practices Board:

My name is Ken Miller, co-representing SFLOs and Washington Farm Forestry Association along with Steve Barnowe-Meyer on the TFW Policy Committee. I've actively & regularly supported small family forest owners at the SFL Advisory Committee and at the Forest Practices Board for most of my retirement years (since before 2004) because I believed in the regulatory commitments made on behalf of SFLOs by the Legislature (RCWs), and those same commitments made to us by this Board in WAC. It's been a long & frustrating struggle. I'm hopeful some of these efforts will finally make it to you for your consideration, likely at your August meeting, so I think it's worthwhile to refresh some of these long ago commitments to SFLOs.

Although without the force of legislation, or rules I believe the Timber, Fish & Wildlife Agreement excerpts attached help us all understand the regulatory intent regarding SFLOs by the broad spectrum of stakeholders that were signatories to this paradigm shifting agreement. They clearly intended smaller buffers for SFLOs impacted by their consensus Agreement, and also recognized what we think is still obvious: "In the area of timber harvesting impacts, the small landowners by definition are not a significant factor because their ownerships are dispersed and their cutting patterns are largely random."

It also seems pertinent to remind the Board of the commitments you made to SFLOs when you created the Alternate Plan riparian protection rules about 20 years ago – see Resource Protection Rules in WAC attached. It's extremely obvious these WACs (& underlying RCWs) intended some regulatory relief in the form of "... alternate harvest restrictions on smaller harvest units that may have a relatively low impact. ..." consistent with the RCWs and the findings of the TFW Agreement that typical SFLO harvest impacts are "not significant". "low impact" options for SFLOs was mentioned 4 times in your WACs, yet we've struggled for decades to achieve meaningful low impact prescriptions (templates), or guidance so that all ID team participants better understand what's expected/allowed for SFLO APs.

Again, I'm hopeful some of this special regulatory intent for SFLOs is finally starting to gel within the AMP and make it through all our processes for your final review. It's also important that you understand we are not asking that smaller buffers for SFLOs be provided at the cost of significant risks to riparian functionality! We agree the RCWs and WACs need to be considered as a whole where we are all obligated to find the best possible balance that best meets all the WAC requirements.

Sincerely,

Ken Miller

Washington Farm Forestry Association  
360-999-8595

## **Excerpts from Timber/Fish/Wildlife Agreement Final Report Feb 17, 1987**

### **INTRODUCTION (page 1)**

Participants in the negotiations included representatives of a number of Indian tribes, the Northwest Indian Fisheries Commission, the Columbia River Intertribal Fish Commission, Washington Environmental Council and Audubon Society, Washington Forest Protection Association and Washington Farm Forestry Association, Weyerhaeuser, Georgia Pacific, Plum Creek and Simpson Timber companies, and the state departments of Natural Resources, Ecology, Fisheries and Game. The discussions received crucial assistance from the Northwest Renewable Resources Center of Seattle in organizing and facilitating this effort.

### **RIPARIAN MANAGEMENT ZONES**

#### **SMALL HARVEST EXEMPTION FOR SMALL LANDOWNERS (page 28)**

It was recognized by all parties that these riparian zone requirements could disproportionately impact small landowners which could cause or accelerate conversions of these lands to other uses. Such alternative uses are less desirable to all the participants in this process. Therefore, a site-specific prescription that retains fewer leave trees for a harvest of 30 acres or less may be proposed by any landowner that is disproportionately impacted by the standard leave tree requirement. Under such a plan the landowner must leave 50% of the standard riparian leave tree requirement, unless the original stand contains fewer trees prior to harvest.

A landowner is considered to be disproportionately impacted if more than 10% of the acreage in the harvest area lies within the riparian management zone of at Type 1, 2, and /or 3 water.

### **TIMBER HARVESTING ACTIVITIES**

#### **MEASURES (page 33)**

In the area of timber harvesting impacts, the small landowners by definition are not a significant factor because their ownerships are dispersed and their cutting patterns are largely random.

### **APPENDIX III EASTERN WASHINGTON RIPARIAN PRESCRIPTION**

#### **SMALL HARVEST EXEMPTION (page 55)**

This exemption will still apply as indicated in WAC 222-30-020 (4)(e). (Subsequently revised)

The above prescription will be in effect until the first major T/F/W review called for in the T/F/W Agreement. In the interim, the effectiveness of this prescription will be intensively monitored to measure its protection of public resources and the impact on the forest landowner.



# Resource Protection Board Rules in WAC for Alternate Plans Related to Special Consideration to SFLOs

## WAC 222-12-040 Alternate plans – Policy

- “. . . used as a tool to deal with a variety of situations, including where the **cumulative impacts of regulations disproportionately impact a landowner.**” (i.e. SBEIS finding of disproportionate impact on SFLOs of Forests and Fish)
- “The legislature has found in RCW 76.13.100(2) that small forest landowners should also have the option of alternate management plans or **alternate harvest restrictions on smaller harvest units that may have a relatively low impact** on aquatic resources.”
- “These **alternate plans are intended to provide flexibility to small forest landowners** that will still provide protection of riparian functions based on specific field conditions or stream conditions on the landowner’s property.” (i.e. size of harvest, stream reach length, stream size)

## WAC 222-12-0401 Alternate plans – Process

- “Small forest landowners may wish to seek the assistance of the small forest landowner office.”
- “The interdisciplinary team may submit a recommendation without a site visit **if a small forest landowner submitted the alternate plan using a template contained in board manual section 21 and is a low impact alternate plan** and the team determines a visit is not necessary to evaluate the site specific application of a template **or a low impact alternate plan.**” (i.e. clear Board intent to allow “low impact”, not “no” impact)
- “Approval standard: An alternate plan must provide protection for public resources at least **equal in overall effectiveness to the protection provided in the act (RCWs) and rules (WACs).**” (i.e. these Board approved WAC excerpts (“rules”) in this paper related to SFLOs are necessarily allowed/required in this AP Approval Standard’s resource protections – ditto for the referenced RCWs (“act”).)

## WAC 222-12-0402 Assistance available for small forest landowners

- “The legislature has directed that office (small forest landowner office) to **assist small forest landowners in preparing alternate plans appropriate to small forest landowners.** See RCW 76.13.100 and 76.13.110(3)”
- “The office may provide . . . . **facilitation of small forest landowner interactions with the department, other state agencies, federal agencies, affected Indian tribes and the interdisciplinary team that may review the small forest landowner’s alternate plan.**” (In other words SFL Office is supposed to advocate for SFLO APs, even within DNR!)

## WAC 222-12-0403 – Cooperative development of guidelines for alternate plans. (Note: this entire WAC seems intended to benefit mostly/entirely SFLOs)

- “The manual (BM 21) should include: (1) As required by RCW 76.13.110 (3), the small forest landowner office recommendation for alternate plans or alternate harvest restrictions that meet riparian functions while **generally requiring less costly regulatory prescriptions;**”
- “**Template prescriptions . . .**”
- “**Appropriate recognition or credit for improving the condition of public resources;**”
- “**Criteria to assist the department in determining whether a small forest landowner alternate plan qualifies as a low impact alternate plan.**” (this WAC (“rule”) was the focus of the SFLO Advisory Committee’s July 2020 consensus recommendation to DNR)

## WAC 222-12-0404 – Cooperation for effective alternate planning.

- “the department will consider: **(1) Successful alternate plans, and small forest landowner alternate management strategies that can be used by other small forest landowners . . . .**”

(bold, underlining, or highlighting text added to WAC language for emphasis)

**From:** [Victor Musselman](#)  
**To:** [DNR RE FP BOARD](#)  
**Subject:** "Alternate harvest restrictions on smaller harvest units that may have relatively low impact"  
**Date:** Monday, May 2, 2022 12:47:07 PM

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External Email

Madam Chair and members of the Board:

My name is Victor Musselman. I own a tree farm in Pacific County that has 3,550 feet of type F waters running through it. I was an observer in the negotiation's that took place in 1998 and 1999 that ultimately led to the passing of the Forest and Fish Act by the 1999 Legislature. I had high hopes as time passed that the WA Forest Practices Board would take up the considerations allowed small forest owners by this legislation to mitigate its impact. You have helped by passing rules allowing alternate harvest plans, the Overstocked Stand Template and other actions and services. But, no action has been taken to date to implement the most important help we small forest owners need, adoption of a true "relatively low impact harvest restriction" option. Please help the small forest owners of Washington get meaningful relief by adopting such an option when it comes before you in the near future to fulfill the promise made to us under the Forests and Fish Act passed 23 years ago.

Thank you for reading this email and your past support for the small forest owners of WA!

Best Regards,

Victor Musselman





**From:** [Kenneth Osborn](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alt harvest restrictions - Smaller land owners  
**Date:** Sunday, April 24, 2022 2:59:28 PM

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External Email

Madam Chair and Members of the Board,

I own 440 Ac in Skagit County and actively manage my forest for education, recreation and timber production. And for the record, with luck, this property will survive me and be placed into a trust to support education and other philanthropic beneficiaries.

Furthermore I have placed all parcels into Designated Forest removing all possibility for development unless I pay for the mandatory back taxes to remove them from that status. In other words, I'm foregoing any HBU's as I intend to keep my property fully under forest management in perpetuity.

With that in mind, I feel the harvest restriction proposals we small landowners have received so far have been unreasonably strict. They are essentially the same as for large landowners who can accommodate larger buffers with their larger land bases. We 'smalls' are often in the low lying forest urban interface with higher sites hence wider buffers and we are already having to confront low density urban sprawl lapping at our doorstep. We don't have the swag of the big guys but we need to be taken seriously since cumulatively we are important to maintaining a viable forest products industry and the quality of life we afford our local communities.

Thank you for your consideration.

Kind Regards,  
Ken Osborn

**From:** [jim.murphy](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL; Ken and Bonnie Miller](#)  
**Subject:** ALTERNATE HARVEST PRESCRIPTIONS ,Comments from a Small Forest Landowner FPB Meeting, May 11, 2022  
**Date:** Wednesday, April 27, 2022 9:13:33 AM

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External Email

Dear Board Members and Madam Chair,

My family actively manages over 1,200 acres of Lewis and Thurston county forests. We manage for recreation, harvest income, wildlife habitat, neighborhood aesthetics, public benefits like providing clean water and air and carbon sequestration, among many other goals.

As I hope you know, in the late 1990's when the Forests and Fish legislation was being negotiated, it was discovered that the small forest landowners of the state were disproportionately negatively impacted by the new forest practice rules. This was the unintended consequence of the "broad brush" approach the State Agencies used to craft the new forest practice rules and regulations.

The legislature, in their supreme wisdom, decided that it was only fair to try and mitigate this disproportionate impact of the rules on the small landowners. It was deemed wise to help these folks stay in the business of growing forests and providing all the public benefits they provide by keeping forests healthy on the landscape.

Many good things came out of this Forest and Fish legislation, but small landowners are still waiting for promises to be kept. I should say that we are not exactly 'waiting' per se; many of us have been working through the established channels to get what we were promised TWENTY THREE YEARS ago.

I could name all the promises, but that's not what this letter is intended for. Specifically, we are frustrated at the negligible progress we have made in regards to “Alternate harvest restrictions on smaller harvest units that have relatively low impact to the public resources”.

There has been a lot of time and work that has gone into this topic, so far to no avail. Let me restate: the legislature promised us this TWENTY THREE YEARS ago. Please help us facilitate this discussion with the Agencies and actually implement a meaningful forest practice rule, within the year, that will work to help keep small forest landowners viable on the landscape so that they can continue to provide all the benefits that the public so values.

Yours Truly,

Jim Murphy

Pioneer Member of the Small Landowner Office Advisory Committee

Professional Forester and Small Private Forest Landowner

[REDACTED]  
[REDACTED] shington 98532



**From:** [patti playfair](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate Harvest proposal. Now is your time to support family forests!  
**Date:** Monday, May 2, 2022 1:09:20 PM  
**Attachments:** [FPB 5-2022.docx](#)

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External Email

5/2/2022

### **23 Years and Counting. Now is your time to support family forests!**

Madam Chairwoman and members of the board,

My name is Patti Playfair and my family owns 3500 acres of forestland in Stevens County. We have owned our tree farm for more than 100 years where we continue forest stewardship that began with my great-grandparents. Ours is a multigenerational forest, with intentions to continue forestry for many more generations. However, I believe it should not take multiple generations to get the meaningful regulatory relief for the lower impact harvest activities common to family forests. But here we are, 23 years later and I am the second Playfair fighting the same battle with very little progress and no end in sight. If I sound frustrated, it's because I am.

I am writing today to encourage—No, to implore you to finally meet the obligations of Washington's Forest and Fish (F&F) and subsequent legislation, which specifically requires considerable deference for family forest landowners as covered in both RCWs and the WAC.

[**RCW 76.13.100 (2) partial** – “The legislature further finds that **small forest landowners should have the option of alternate management plans or alternate harvest restrictions on smaller harvest units that may have a relatively low impact on aquatic resources.** The small forest landowner office should be responsible for assisting small landowners in the development and implementation of these plans or restrictions.” (Emphasis added).]

The Washington Farm Forestry Association, representing thousands of Washington families just like mine, has submitted a **sound, scientifically supported, simplified alternate management proposal** that meets the referenced RCW. Unfortunately, both the CMER and AMP working groups have been unable or unwilling to continue in the original spirit of cooperation of Forest and Fish, which is why I am asking for your help to solve this long standing problem for thousands of family forest owners across our State.

I'm sure being a FPB member is not always easy, knowing that you are asked to see an issue from many sides and make an informed decision to the best of your ability. That is why I urge you to consider the cooperative spirit that F&F was forged from. I believe if you are able to appreciate that, then supporting WFFA's proposal will be an easy decision to make.

Without your support, it will be less certain that my family can continue providing excellent

wildlife habitat, clean water for local communities and a truly renewable resource for another 100+ years.

Yes, the reality really is that stark.

Thank you for your time and consideration,

Patti Playfair, 4<sup>th</sup> generation Forest Steward

Owner: Rafter Seven Ranch, [REDACTED]

Past President, Washington Farm Forestry Association

Body of this email is attached in letter form, if desired.

**From:** [Orville Mowry](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions and incentives to keep forested land in forestry  
**Date:** Monday, April 25, 2022 7:59:51 PM

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External Email

Madam Chair and Members of the Board:

I am blessed to be a 5th generation owner, on my mom's side of the family, with timberland that still has several majestic cedar trees >6' diameter and 300+ years old. On my dad's side, I'm a 3rd generation owner with some Douglas-fir timber over 100 years old. Legacy trees that can be harvested, but are kept alive for now.

My oldest son has a bachelors degree in forestry and works for an industrial timber company. I know the interest and passion for forestry exists in him to continue stewardship of our family properties for another generation. However, maintaining them all for timber, fish, wildlife, water, and recreation may not be the best decision for us going forward. Put yourself in our shoes. 10 acres of our ownership has a fish stream meandering through the middle of it. 30 more years will need to pass before we may have the next timber harvest (3rd growth crop). The Forest Riparian Easement Program has been underfunded and slow. Regulatory pressure continues to be towards more and bigger buffers. The 10 acres borders a paved county road with utilities. The property can be subdivided and sold as two 5 acre building lots this year OR we can wait 30 more years and risk regulations possibly taking away all rights except for paying the property taxes. What would you do?

What you can do is help small forest landowner families like ours by fulfilling Forest & Fish promises. That includes approving alternate harvest restrictions on smaller harvest units that may have a relatively low impact on aquatic resources. Please allow this and other incentives to help keep our family legacy trees alive for future generations. Thank you for your time and service towards sustainable forestry.

Orville Mowry, CEM  
Over Time Timber Company, LLC



**From:** [Herb Barker](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL; "Ken Miller"](#)  
**Subject:** Alternate harvest restrictions on small harvest units that have a relatively low impact.  
**Date:** Friday, May 6, 2022 8:44:36 AM

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External Email

Madam chair and members of the board,

Myself and four other cousins all inherited 120 acres of forest land from our parents. With the intent that we manage, harvest, and protect it for our children and their children forever. My grandparents bought this Whatcom county property in 1911, by cashing in their life savings at the time. It has been sustainably managed ever since with my grandparents only logging what they needed to pay their property taxes, and medical bills. In 1956 it was established as a certified tree farm, one of the first 25 in the state. We as a family would like to keep this land in it's sustainable and well managed position for our family forever.

Over zealous regulations, and public misconceptions have made this a difficult family discussion. We are afraid that the next generations at some point won't be up for the fight, and will decide to sell as a way out. If you want small family forests to remain as forests you need to listen to us small forest landowners, we are the future not the problem.

All small forest landowners are truly the stewards of their lands. We respect the animals that call our place home, and we respect all the nature that is within our control. Yes there are occasional small harvests, with a lot of that money going back to support, insure, pay taxes and maintain the tree farm. The board needs to hear us and listen. We are the small voices in the background who do all the work to maintain our healthy beautiful piece of forest land to the benefit of all. While you the board, and your predecessors, for years have tried your best to ignore us, by shelving the forest and fish promises made 20+ years ago.

The board needs to respect their obligations, under forest and fish, to small forest landowners. You need to adopt sensible science driven regulations based on our low impact. Even The U of W agrees with our scientific position. Listen to the science and our small voices. Block out the politics and their popular unscientific agendas. We are counting on you to do the right thing, NOW, not kick this ball down the road for another 20 years. I urge you to listen to the small forest landowner voices. If you don't then most of us who care will be long gone and so will be the forest that we worked to maintain.

Thanks for your time,

Herb Barker,  
Whatcom County Farm Forestry Association member, and currently president.

**From:** [Byron Loucks](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Tuesday, May 3, 2022 9:05:06 AM

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External Email

Madam Chair and Members of the Board:

My wife and I purchased land to grow timber over 40 years ago, for our retirement income. We worked hard to save the money to make these purchases, not taking expensive vacations like other people, instead keeping a simple life style and investing our money in forestland. We have managed our timberland intensively for up to 40 years, and produced a crop of wood for society's use, as well as providing wildlife habitat and protecting water resources. Twenty-two years ago when the rules changed, we knew we would take a large hit on our retirement funds but it was always "out there" in the future somewhere. We expected that the alternate harvest options promised in Forest and Fish for small forest landowners would be implemented before we were ready to harvest. Now we are well into retirement and are logging our last tract of mature timber. We now know exactly how much income we have lost for riparian buffers and are disappointed that small forest landowners have not received the fair treatment that was promised by Forest and Fish.

In 1979 we purchased a 35 acre clearcut which had 2 fish bearing streams going through it. With great effort, we reforested the old fields along the streams, but when the rules changed, we found that we only had 22 acres with harvestable timber. Because of our ages, we sold the land and timber 3 years ago. At that time, we estimated that our selling price was reduced by \$275,000 because of the 13 acres of riparian zone timber and land.

On our second parcel, 160 acres purchased in 1987, we are in the process of completing the last of a 20-year logging plan. The financial loss to us of the riparian zones has been or will be:

- **\$17,333** for timber left in 3.4 acres of riparian zone. We received a FREP

payment of \$26,000 for 50-60% of the value when we logged the adjacent timber in 2007. (DNR would not provide actual cruise data to us so we can only guess at the percentage paid.)

- **\$49,000** for timber in 4.9 acres of a second riparian zone. The adjacent area was logged in 2016 and 2018 and application was made for FREP payment. The cruising has just now started and if we are lucky we may receive up to \$50,000 of the \$100,000 the timber is worth, when and if the money is available to pay for the riparian easement.
- **\$7,875** for regeneration cost of replanting 7.0 acres of riparian zone that was logged 1 year before the rules changed. This is an investment we will never recover.
- **\$166,000** of timber on 8.3 acres of riparian zone next to our current logging that we will receive no revenue for. Because we intend to sell the land in the near future, we are not applying for FREP because it seems to take longer and longer to complete the FREP process and we do not expect to own the land when and if any payment would be made. (We also hope the next family to own our tree farm will be able to recover some of the loss from a future riparian zone reduction.)
- **\$23,800** for land value of 23.8 acres of riparian zone at \$1,000/acre (low to moderate value of current forest land values) that we are going to lose when we sell the forest land. Since there currently is no future revenue of the riparian zone timber, there is then no value to anyone purchasing the land as a forest land investment. Assigning zero value for riparian zone timber land has been standard practice since the rules changed in 2000.
- The above does not include the leave trees and downed logs that must be left on each acre that is logged, or the trees in the outer zone of the riparian zone which are left in the “Whack and Pack” process but not included in the FREP cruise.

**\$264,533** is our direct out of pocket cost for the 23.8 acres of riparian zone on Brockway Road. This is revenue that we lost, the price that we, like other forest land owners, have to pay to own forest land.

**\$275,000** is the direct out of pocket cost for the land and timber on the Lost Valley tract.



**\$539,533** in lost land and timber value is an almost unimaginable loss to our retirement plans that no one at the state government seems to have any understanding of or compassion for. In addition, the impact goes beyond ourselves and affects other businesses in our community and state. Loggers, truckers, and tree planters had less business because we couldn't harvest the timber in the riparian zone. The state and county also lost the money that would have been paid in forest excise and B&O taxes.

I (Bryon) was a forester before retiring to manage our land, and I am convinced that smaller buffers on these small harvest units would not have impacted the functionality of the riparian zones. Although it is too late to help us, I hope that the Forest Practices Board will take steps that encourage, rather than discourage, individuals like us to invest their money and their dedication into growing timber and keeping Washington evergreen! Most everyone in society and our state government wants to see forest land instead of houses. How can you as members of the Washington Forest Practices Board expect small non-industrial land owners to keep their land in timber when so much is taken from us? The option many are taking is to sell their land to home owners who can log the riparian area and build right up to the streams.

Bryon and Donna Loucks

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [Alan & Ruby Walker](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#); [Kenneth Miller](#)  
**Subject:** Fw: Alternate Harvest Restrictions on Smaller Harvest Units of Relatively Low Impact  
**Date:** Tuesday, April 26, 2022 5:33:09 PM

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External Email

Madam Chair and Members of the Board,

Thank you for the opportunity to address the Board on issues important to all small forest landowners.

My wife and I reside on 592 contiguous acres of forestland in Ferry County. We purchased our first parcel in 1985. After our retirement from the U.S. Coast Guard we have personally actively managed the property since 2001. We have worked extensively with DNR, NRCS and the Ferry Conservation District to maintain a sustainable and ecologically sound forest. Our harvests vary from 25MBD to 250MBD every few years with the majority of proceeds being reinvested into management of the property. We take great pride in the property and hope to sustain it through future generations.

As part of our management, we have proposed alternate plan templates for our riparian zones and hosted ID teams. Although we spent several thousand dollars in developing the proposals and presenting to the ID teams, all efforts were met with negative results. Subsequent to the alternate plan proposals, we volunteered to prototype the Long Term Application process. After several years of effort and approval of the regulations, we submitted and were approved as the first LTA in Eastern Washington.

In 2015 the Stickpin Fire burned approximately 60,000 acres passing within 200 yards of our Eastern property line. Lack of management in State and National Forest contributed to the intensity of the fire. Numerous firefighters commented on the extent of our management and defensible space we had thus created.

Our property is a haven for wildlife. With active management all species have multiplied many times over. The DNR wildlife biologist has visited several times and commented on the outstanding habitat we provide while actively harvesting for timber.

We frequently utilize our property for educational field trips, especially for young students, to showcase active management techniques and the benefits to water, wildlife and a healthy forest.

We are not unique! There are small forestlands throughout our state that are managed for

sustainability providing huge benefits to the environment and all our citizens

Please thoughtfully consider the commitments promised in Forests and Fish in 1999 and subsequent WACs. We are living up to our commitments...it is time for the State and FPB to reassure us of their commitment with positive action.

Thank you in advance for you consideration and support for our privately owned forests,

Respectfully,

Alan & Ruby Walker

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

**From:** [Chuck Higgins](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Saturday, April 30, 2022 3:04:23 PM

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External Email

Madam Chair and Members of the Board:

My name is Chuck Higgins. My wife, Nan, and I own 110 acres of forestlands in Lewis and Thurston Counties that comprise our "Michigan Hill Tree Farm". In 2021, we were recognized as "Washington Tree Farmers of the Year" by the Washington Tree Farm Program for the sustainable management of our forestland over the past few decades.

That work has included forest rehab projects and a riparian restoration. We restored an old pasture with a salmon stream running through it to native species forestland plantings. This is not uncommon work for us and fellow members of the Washington Farm Forestry Association. For tree farmers like us, every day is Earth Day.


We feel frustrated and betrayed that the commitments made to small forestland owners in the WACs resulting from the Forest and Fish agreement we (WFFA) agreed to have never been fulfilled. We would like to see our children and grandchildren continue our legacy of forest stewardship. However, the rigid rules that were intended for the large scale harvests of Weyerhaeuser are a great burden for the small family ownerships that make small, infrequent harvests.

All Washingtonians would be well served if our forestlands remained in forestland and our descendants were not pressured to convert them to due to unworkable, burdensome regulations as we have seen so many do in recent years. Please keep the commitments made to us in the WACs.

We know you only want to protect Washington's natural resources. We share that desire. Family forestlands remaining viable is a win-win for small forestland owners and Washington's natural resources alike.

Sincerely,

Chuck Higgins



**From:** [REDACTED]  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#); [REDACTED]  
**Subject:** Alternate Harvest Restrictions on Smaller Harvest Units That May Have Relatively Low Impact  
**Date:** Friday, May 6, 2022 12:11:04 AM

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External Email

Madam Chair and Members of the Board:

Please support less restrictive alternate harvest restrictions for SFLOs as our harvests are relatively low impact. The forest and fish laws promised this but it has not been forthcoming.

I am writing you as I have great respect for Ken Miller and the Washington Farm Forestry Association but not for our State Government. A few years ago, I spent two days testifying in Olympia for a bill to allow forest owners and farmers to mark property boundaries with orange paint. It passed the House and Senate twice only to be vetoed by Governor Inslee twice. I spent a day prepping testimony (in support of a Spring Bear Hunt which reduces timber bear damage) and doing a video conference with the WDFW Commission. Due to time constraints I was not allowed to testify. The Commission decided to not allow a Spring bear hunt against the advice of their staff and scientists.

WDFW has refused to call Master Hunters "Agents of the State" so forest landowners cannot use bait to remove problem bears damaging timber stands. We must use boot hunters which can often take over 160 hours of hunting or more to remove a problem bear. A final example of how SFLOs are mistreated is the burn permit fee schedule. The fee for 100 tons is \$105.50. If you are burning 101 tons the fee goes to \$357, the same fee as burning 500 tons. Does that make any sense?

Time and time again the Washington State Government, Boards, and Commissions do what they want without regard to the science, common sense or what rural Washington residents need.



I own 400 acres of forest land in Grays Harbor and Mason counties. I had to buy it all, no inheritance. I bought my first parcel when I was 27 years old. All of it is subdividable into 5, 10 or 20 acre parcels. I had hoped to leave it to my children and grandchildren. Rather than the government encouraging me to leave my land as timberland, I continually have more expenses and restrictions thrust on me. I don't understand why it's taking you so long to fulfill your commitments to us when you created WACs to reflect the 1999 legislative intent on behalf of family forest owners.

I hope you will decide to allow meaningful "relatively low impact" harvest restrictions for SFLOs as required by the Forest and Fish laws.

Sincerely,

Howard & Sheena Wilson  
Wilson Tree Farm

**From:** [REDACTED]  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#); [REDACTED]  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Sunday, May 1, 2022 6:58:32 AM

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External Email

*Madam Chair and Members of the Board:*

*My family has 152 acres of forestland in Grays Harbor County and 120 acres in Pacific County. Much of this forestland was passed through our relatives and has deep roots into our families history. We continue to be good managers of the land and support the wildlife and fish that depend on this habitat. We hope our heirs will keep our families heritage in forestland. We have seen more and more restrictions on harvesting and are frustrated when the trees left in the RMZ blow down immediately following harvest and plug and restrict the depressions they were intended to protect. Many of the trees that are left in the RMZ are alders that only have a 50 year life expectancy and die and fall anyway leading to more erosion. We are frustrated, and feel betrayed, disrespected, and unappreciated because it's taking you so long to fulfill your commitments to us when you created WACs to reflect the 1999 legislative intent on behalf of family forest owners. Thank you in advance from those of us walking the talk of "Earth Day".*

*Sincerely,*

*Jim and Cathy Beerbower and Family*

**From:** [Jim White](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Wednesday, May 4, 2022 2:50:12 PM

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External Email

Madam Chair and Board Members,

While I am not a forest landowner myself, I am a forester, and lead the local chapter of the Washington Farm Forestry Association. I am also on the Board of a forestry non-profit in Klickitat County, and have written forest plans and otherwise helped small forest landowners for years.

For some years now, WFFA has worked on alternative harvest restrictions to those currently required per Forests and Fish, alternatives that are relatively low in impact and make it easier for small owners to implement. I encourage you to strongly consider these options, which may help to keep many acres in forestry, and help dedicated small forest landowners to continue to operate.

The folks I work with have a real passion for their land. They put in a lot of "sweat equity", and show great pride in the projects they accomplish. I can assure you these individuals and families manage their lands as well or better than just about any other landowner. Please give them a bit of help!

Thanks for your consideration,  
Respectfully,  
James White

[REDACTED]

Chapter President, Mt. Adams Chapter, WFFA

**From:** [REDACTED]  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Friday, May 6, 2022 9:01:56 AM  
**Attachments:** [REDACTED]

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External Email

Madam Chair and Members of the Board:

I am Nick Somero from Raymond and President of Pacific County Farm Forestry Association. I was also nominated for tree farmer of the year in 2021.

In 1940 my parents bought 52 acres at the confluence of Elkhorn Creek and Smith Creek in Pacific County.

In 1985 I purchased 45 acres of the homestead, agricultural land, and timberland to add to the two ten acre parcels of timberland contiguous to the farm I purchased in the 1970's. My children were raised spending a substantial amount of time here learning to work, recreate, and take care of the environment through good stewardship. They learned the true definition of loving the land here.

Timber on the property supplemented the income of the family. Today the timber on the property is an important leg of my retirement stool.

I have 4,700 feet of Type S water with an ordinary high water in 50 acres of forestland. Total acres in streams alone is approximately ten acres. In March I harvested a 5 acre unit adjacent to Smith Creek. Of the 5 acres only 1.6 acres were harvestable. I also harvested units in 2016 and 2017 I logged three units for a total of 12.9 acres, total RMZ of 5.1 acres. One unit I logged in 2016 with a hardwood conversion alternate plan. Without the alternate plan I would not have been allowed to harvest any timber in that unit.

The property could be subdivided into 13 parcels for homesites with stream frontage. Would that be more environmentally sound than the property remaining in family forestland? If you are truly interested in the environment, you would support alternate harvest restrictions on smaller harvest units that may have relatively low impact.



Sincerely,  
Nick Somero, President Pacific County Farm Forestry Association.



**From:** [Mike Hamilton](#)  
**To:** [DNR RE FP BOARD](#); [DNR RE CPL](#)  
**Cc:** [REDACTED]; [Mike Hamilton](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units with relatively low impact  
**Date:** Monday, April 25, 2022 10:07:13 AM

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External Email

Madame Chair and Members of the Board of Forest Practices Board of DNR:

I am Dr. Mike Hamilton. My family now owns about 130 acres of forestland in Lewis County that I was attempting to keep as forestland and we would prefer that our heirs could and would maintain as forested property. My family is frustrated, and feel betrayed, disrespected, and unappreciated because it's taking you so long to fulfill your commitments after you created WACs to reflect the 1999 legislative intent on behalf of family forest owners.

I have already now begun to remove parts of this particular property from "forest" classification. Originally, I wished for the timber along with the land to remain as a family heritage type property, covered in timber. That plan has now changed so more acreage can be developed with small parcels, and with no respect to whether the timber is there or not. This is short term development and sale of individual parcels instead of long term forest use.

The biggest reason for the change of plan to development instead of timber ownership is the onerous requirements demanded by the State of Washington. By not fulfilling Forests and Fish regulatory requirements as blueprinted 23 years ago, your lack of action on things like this opportunity to decrease harvest restrictions on small family landowners can only lead to further statewide development of what could remain as natural resource timber lands in this state.

Dr. Mike Hamilton  
[REDACTED]

**From:** [REDACTED]  
**To:** [DNR RE FP BOARD](#); [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Wednesday, May 4, 2022 9:58:58 AM  
**Importance:** High

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External Email

Dear Forest Practice Board Members:

Some of you know me as a lobbyist for the Washington Farm Forestry Association and Washington Friends of Farms & Forests. What you may not know is that long before I became a lobbyist, I was a small forest landowner. Our tree farm has been in the family since the 1940s. You also may not know that I am retiring this summer and will not longer be lobbying by the time of your August meeting. I will still be a small forest landowner who cares deeply about our property.

For twenty-six years, I have worked to accurately understand laws and rules and develop positive working relationships with numerous state agencies.

When the Forest and Fish law passed, I was not working forestry issues, so I was not involved in the debate, but I watched with interest. People I trusted, including then Senator Mark Doumit, assured me that small forest landowners would not be harmed. The language was clear, families would not be regulated the same as large corporations. While the details of alternate plans or alternate harvest restrictions were not spelled out, the intent was clearly stated, to lower the cost of regulation for small landowners. At the time, it was inconceivable that we could end up where we are today with the law still not fully implemented twenty years later.

Why is this so important to me? Our family farm was approximately half timber and half pasture and hay ground when my father unexpected passed away in 1986. After much thought, our family decided to plant all of the open land to timber. We believed it would provide a stable income and a safety net for my aging mother, my sister's growing family and myself, just out of grad school at the time. We also knew it's what my father would have wanted.

Today, approximately 35% of our land is covered by Forest and Fish buffers. Those are trees we planted on productive farmland but cannot harvest. Two professional foresters have told me that because of the amount of unharvestable timber, from a financial standpoint, the best use of the land would be to divide and sell it for homesites.

When I read the law, then read the science, it is incomprehensible to me that this debate is still going on and no alternate harvest restrictions for smaller harvest units are in place.

As members of the Forest Practices Board, your primary responsibility is to adopt rules that set standards for forest practices, including rules to implement alternatives for small forest landowners as directed by the legislature.

Please honor the commitments made to small landowners by the legislature to help keep my family and others like us on the land we love, producing sustainable timber for the future.

**RCW 76.13.100**

(2) ...The legislature further finds that small forestland owners should have the option of alternate management plans or alternate harvest restrictions on smaller harvest units that may have a relatively low impact on aquatic resources. ...

**RCW 76.09.368**

**Intent—Small forestland owners—Alternate plan processes/alternate harvest restrictions—Report to the legislature.**

The legislature intends that small forestland owners have access to alternate plan processes or alternate harvest restrictions, or both if necessary, that meet the public resource protection standard set forth in RCW [76.09.370](#)(3), but which also lowers the overall cost of regulation to small forestland owners including, but not limited to, timber value forgone, layout costs, and operating costs.

Heather Hansen

**From:** [Sue Hanser](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** ["Thomas Atkins"; DNR RE CPL;](#) [REDACTED]  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Tuesday, May 3, 2022 8:21:05 PM

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External Email

Dear Madam Chair and Members of the Board:

My name is Susan Hanser, and I am a 25% member of Atkins Tree Farms, LLC., a corporation established by my family and led for 30 years by my father and brother. Under their tutelage, the entire family has taken part in learning about forest stewardship and maintaining and growing our 875 acres of working forest land in Grays Harbor County.

Private landowners produce over 77% of the timber produced in Washington state, even though our percentage of total forestland is only 37% of the state's total forest acreage. Small forest landowners like us manage 41% of the private forestland. The timber produced from this land provides jobs, product and tax revenue to the state. The lumber produced from our trees captures carbon for over a century while the replacement forest continues carbon sequestration on site. We provide superior stewardship results on a minority of the land and are very important to the state's economic and environmental efforts.

In 1999, the forest and fish legislation were passed, containing elements resulting in substantial loss to our ability to manage and harvest our forests. The forest practice board recognized the impact these regulations had and promised to develop alternate harvest regulations for us when the impact would be relatively low. The Washington Farm Forest Association has been working for almost 10 years, asking for these promises to be fulfilled. They have hired scientists that have proven that the excessive size of the buffers is unwarranted for the stated purpose of "protecting fish." In many cases the only fish in these small streams are tadpoles and sticklebacks. Please heed the science and reduce the size of these buffers for small forest landowners. While it's true that the Forest Riparian Easement Program (FREP) will compensate us for 50% of the value of these trees, we would rather get 100% from the mills at the time of the sale instead of waiting 4 to 6 years to have to have the state pay for half of them.

We have waited over 23 years for you to keep your promise to reduce the impact of the legislation on the SFLO. Please do the right thing and vote to reduce the excessive size of these buffers at your upcoming meeting. We take pride in the good stewardship of our land and provide many benefits to the state. Please don't discount us and our heirs that hope to keep our land in perpetual forestland. Thank you in advance for keeping your promises and reducing the harvest restrictions.

Sincerely,  
Susan Hanser

[REDACTED]





**From:** [rocinanteresources@gmail.com](mailto:rocinanteresources@gmail.com)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Tuesday, April 26, 2022 5:11:30 PM

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External Email

Madam chair and members of the board,

Our family manages our family tree farm of over 750 acres in Lewis, Thurston, and Pacific counties. We have worked very hard at being good stewards of this land, with the intent to be able to pass the land down from one generation to the next as working forests. We are firm believers in sustainable and ethical forest management practices that balance the need for ecological protections while still providing economic incentives that promote continued use of the lands as working forests.

Over the last 20 years I have watched as many family forests have been subdivided and developed and no longer serve as meaningful forest habitat. This was done primarily because the financial incentive to keep these lands as working forests was diminished.

I am asking you to please fulfill the commitments made 23 years ago to small forests landowners in Forest and Fish. We have shown there are indeed low impact alternate harvests that work. If these promises are not fulfilled, I fear that the next generation of land owners will simply decide to sell off their lands for development. I would prefer to keep working forests as forests, but your choices will determine which path the next generations will take.

Sincerely,  
Derek Burger, Corina Burger, Gabriel Burger and Mirabel Burger

Waldgeist LLC Tree Farms

**From:** [Justin and April Becker](#)  
**To:** [DNR RE FP BOARD](#); [DNR RE CPL](#)  
**Cc:** [Ken Miller](#)  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Monday, May 9, 2022 10:22:17 AM

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External Email

Madam Chair and Members of the Board:

My name is Justin Becker, a member of the Washington Farm Forestry Association, South Sound Chapter. I have the opportunity to raise my family of 6 children on our 56 acre tree farm in Thurston County. We sit directly adjacent to a 100 lot development in the county and the pressure to convert our land from it's current designated forest land classification is high. We have been approached a number of times with unsolicited interest from those looking to subdivide the property and develop the land. My hope is that I can continue to hold the property under our ownership so that my children will always have something to come home to.

With that said, it's important that small timberland owners can make economic sense of maintaining the property for growing and harvesting timber. While I have only been a timberland owner for 12 years, it has become apparent that some of the promises included in the Forest and Fish law that were intended to address concerns of the small timberland owner have not been met. After 23 years, it's time to fulfill the commitments of the Forest and Fish law, specifically allowing for alternative harvest restrictions on smaller harvest units that may have relatively low impact. When I think about how long 23 years is, I relate it back to my family. That would be enough time for us to have a baby, raise them, watch them graduate high school AND watch them graduate from college. That is the amount of time that has passed since these promises were made. To me, that is unacceptable.

Thank you for living up to the Forest and Fish regulatory commitments and for fulfilling similar promises of the Forest Practices Board. As a small timberland owner, I need your help.

Justin Becker, April Becker and the 6 Becker children (ages 17,16,15,14,11,9)

**From:** [Steve Townsend](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [REDACTED]  
**Subject:** Alternate harvest restrictions on smaller harvest units that may have relatively low impact  
**Date:** Tuesday, April 26, 2022 11:16:51 AM

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External Email

To the Forest Practices Board:

I am writing in support of the Washington Farm Forestry Association and those working on behalf of small landowners and our efforts towards sustainable forestry. As the owner of a small tree farm, it is important to me that we keep the management regulations regarding my farm and the trees on it simple, practical, and most importantly, affordable.

I am particularly dismayed with the continual squabbling about stream buffers and riparian zones. The goals of growing timber, managing clean water, and providing homes and shelter for the wildlife should be easily compatible.

The Forests and Fish bill was passed over twenty years ago. Research and science support the “relatively low impact” harvest restrictions promised in the bill, and yet we are still watching, waiting, and wondering. Why?

Sustainable forestry is the goal; the present system does not promote sustainability. Look at current land use trends and note the recent subdivisions, land sales, and applications to convert forest lands to other uses. Small landowners do not have deep pockets to hire consultants and lawyers to represent us in court. We need to operate under an easy to understand system that allows us to “do it ourselves”, one owner and one tree farm at a time.

Please, stop encouraging us to sell out; allow us to keep our farms for the future. The children and generations yet unborn of Washington will need working forests, clean water, fish, wildlife, lumber, and a vibrant economy.

Sincerely,  
Steve and Kay Townsend

**From:** [Thomas Atkins](#)  
**To:** [DNR RE FP BOARD](#); [REDACTED]; [DNR RE CPL](#); [Dick and Marie Atkins](#)  
**Date:** Sunday, May 1, 2022 4:37:57 PM

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External Email

Sent from [Mail](#) for Windows  
5/01/2022

Co-Owner and Manager Atkins Tree Farm LLCC [REDACTED]

[Dear Madam Chair and Members of the Board:](#)

My name is Tom Atkins. My family and I maintain stewardship of 875 acres of working forest land in Grays Harbor that we have managed for over 30 years. We take pride in our operation maintaining a good combination of providing economic return for the family while doing the right things for the land and environment.

Private landowners produce over 77% of the timber produced in Washington state. We produce most of the timber even though our percentage of total forestland is only 37% of the states total forest acreage. Small forest landowners such as we manage 41% of the private forestland. The timber produced from this land provides jobs, product and tax revenue to the state. The lumber produced from our trees captures carbon for over a century while the replacement forest continues carbon sequestration on the site. We provide superior stewardship results on a minority of the land and are very important to the state's economic and environmental efforts.

In 1999 the forest and fish legislation were passed containing elements resulting in substantial loss to our ability to manage and harvest our forests. The forest practice board recognized the unfair impact these regulations had on the SFLO and promised to develop alternate harvest regulations for us when impact would be relatively low. The Washington Farm Forest Association has been working for almost 10 years to get you to fulfill these promises. They have hired scientists that have proven that the excessive size of the buffers is unwarranted for the stated purpose of protecting fish. In many cases the only fish in these small steams are tadpoles and sticklebacks. Please stop ignoring the science and reduce the ludicrous and unfair size of these buffers for small forest landowners. And while its true that FREP will compensate us for 50% of the value of these trees, I would rather get 100% from the mills at the time of the sale instead of waiting 4 to 6 years to have to have the state pay for half of them.

We have waited over 23 years for you to keep your promise to reduce the impact of the legislation on the SFLO. Please do the right thing and vote to reduce the excessive size of these buffers at you upcoming meeting. We do the right thing for the good stewardship of our land and provide many

benefits to the state. Please don't disrespect us and our heirs that hope to keep our land in perpetual forestland. Thankyou in advance for keeping your promises and reducing the harvest restrictions.

Sincerely,

Tom Atkins

**From:** [William Stewart](#)  
**To:** [ANDERSON, PATRICIA \(DNR\)](#)  
**Subject:** Alternate Rules for Smaller Harvests  
**Date:** Friday, May 6, 2022 9:34:54 AM

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External Email

Madam Chair and Members of the Board:

Over twenty years ago, Timber, Fish & Wildlife was heralded as breakthrough legislation in forest management which addressed science, fisheries, wildlife, jobs and forest products. It also called for lessened impacts of the restrictions on owners of smaller private forested lands. Somehow, that provision has been lost or ignored. Please carry out the mandate for harvest restrictions with “relatively low impact” on small harvests.

Last summer, we harvested a beautiful healthy 40 yr old stand of Douglas fir that had previously been commercially thinned. Riparian zone harvest restrictions prevented us from harvesting more than 25% of our stand of timber. That was a significant impact after 40 years of investment, risk and hard work.

My sons are starting their professions and their families. Being Tree Farmers has been ingrained in them from birth. They are the 4th generation of our family which has been growing and harvesting timber in Grays Harbor for over a hundred years.

With the tightening restrictions I’ve seen in my adult life stripping us of our investment and revenue, how do I convince my sons or my now 14 month old grandson that continuing to own, invest and steward our property as forestland is wise ? Please carry out the promise of TFW and keep small forestland owners growing, managing and producing clean air, water, carbon sequestration, habitat, forest products, jobs and a reasonable return.

Thank you for your dedication, commitment of time and effort and careful consideration of this very important issue.

Regards,

William Stewart  
Montesano



**From:** [Richard Pine](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternative harvest restrictions on relatively low impact units  
**Date:** Monday, April 25, 2022 12:15:34 PM

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External Email

O'Neill Pine Company is a family business with timberland in Lewis and Thurston Counties. The third family generation is currently managing but the majority ownership has passed to the fourth generation. I see great potential in two young members of the fifth generation. We hope the family business will continue forever.

In 2019 we were honored to be named the Washington Tree Farm of the Year. We have been Forest Stewardship Council (FSC) certified since 2000.

Forest and Fish rules were hard on our business. We thought there was an intent in Forest and Fish and WAC's to help small timberland owners deal with that impact. We have seen some help but lately the Alternative Plan process seems a notable exception.

Please help small timberland owners continue to produce benefits for their families, for the state, and for the environment by supporting alternative harvest restrictions on relatively low impact harvest units.

Richard Pine  
O'Neill Pine Company

**From:** [ROBERT B STEWART](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Alternative harvest restrictions on smaller harvest units  
**Date:** Saturday, April 30, 2022 6:47:30 PM

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External Email

Madam Chair and Distinguished Board Members,

As the father to the fourth generation of Stewart Tree Farmers, and Montesano raised in home to the American Tree Farm System; I feel compelled to reach out and engage you on this serious forest topic.

In my short 69 year life span, I have watched as 24 to 28% of our family forest lands located in Grays Harbor, Lewis and Cowlitz counties have been regulated away from us...with no grandfather provisions. Riparian limiting restrictions and endangered species acts have taken over 25% of our timber investing ground out of production. Consider for a moment, if someone should arbitrarily go into your retirement wealth portfolio and remove not only 25% of it's present worth... but of all the future earnings on this investment. Though not an attorney, I would venture to say that it is unconstitutional and protected under the 4th Amendment ....the taking of private property.

Two cliches in the forest/environmental world are conducting silviculture operations following 'best science' and to perform stewardship practices 'sustainably'.

I maintain that "killing" 25% of the goose that laid the golden egg (ie taking it out of production), along with de-incentivizing future generations to invest in timberland....is neither best science nor sustainable.

It is a well known principle that the more a system is micromanaged for 1. a specific organism (provide your keystone species du jour) and 2 for a specific insult (insert your governmental or environmental intervention du jour here); the more fragile rather than robust the system becomes. On the other hand, the more diverse the management system to accommodate a wide range of species and wide range of systems.... the more robust and resilient the system.

I have been working with Coast Redwood, Willamette Valley Pine. and Chestnut on Lewis County family forestland owned and historically managed (since 1950's) in Douglas Fir, Western Red Cedar and Red Alder. As Climate Change has further stressed bear depredated, root rot infected and Swiss needle cast Doug Fir, the Redwood and Pine have shown superior growth and disease resistance in face of warming drying conditions.

Forest land managed with a cookie cutter 'one management system fits all situations' is doomed to failure... history bears this out time after time.

In closing, I urge the board members to consider their decisions wisely. Whereas adjusting to a changing climate by changing planting/harvesting strategies is challenging enough for today's land managers; adjusting to governmental regulatory restrictions ....be they riparian set backs, endangered species impacts, or black bear protection from timber depredation....are particularly crippling rulings which today's and tomorrow's timberland owners have no control over....you, my fellow Washingtonians, are effectively the judge, jury and executioner.

Timber is a 40 to 70 year old crop.  
Your ruling will have long and lasting impact on our Evergreen State's landscape.

It is my strong contention that today's timberland owners are in the best position to steward their lands. Empowering them by un encumbering their harvest abilities will not only demonstrate good faith in them, but restore goodwill between all parties.

Most respectfully,  
Robert B Stewart, DVM

Sent from my iPhone

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Sent:** Monday, May 2, 2022 9:50 PM  
**To:** ANDERSON, PATRICIA (DNR) <PATRICIA.ANDERSON@dnr.wa.gov>  
**Cc:** DNR RE CPL <CPL@dnr.wa.gov>  
**Subject:** Please forward to the Forest Practice Board for the Eaton family

External Email

**From:** [REDACTED]  
**Sent:** Monday, May 2, 2022 8:30 PM  
**To:** [REDACTED]  
**Subject:** Fwd: WFFA 2022 Members - need your help/leadership

Dear Ken,

This is the msg (below), from Jerrie Eaton that he would like you to forward to the Forest Practices Board.

Howard

-----Original Message-----

From: [REDACTED]

To: [REDACTED]

Sent: Mon, May 2, 2022 9:35 am

Subject: Re: WFFA 2022 Members - need your help/leadership

My name is Jerrie Eaton. I am a forester with over 50 years of timber management experience. ( WSU class of 69 ) My wife Sally and I have been buying timberland in Grays Harbor and Lewis counties and have several hundred acres. Our plan is to turn our tree farm over to our daughters and grandchildren. We have a succession plan in place.

I attended several meetings in the late 1990's when the stream buffer rules were being adopted. We are very frustrated with the way things turned out. We need help from the Forest Practice Board that the buffer width commitments as based on science and law as promised over 23 years ago are implemented. This was one of the reasons the Small Forest Landowners went along with the change in the Forest Practice Act.

Thank you in advance from my entire family.

Sent from my iPad

Phil Hess  
Consulting Forester  
CF #109



May 5, 2022

WA Forest Practices Board

Re: "Alternate harvest restrictions on smaller harvest units that may have relatively low impact"

Dear Madam Chair and Members of the Board:

My Name is Phil Hess and I am a long time WFFA E. WA member on the DNR Small Forest Landowner Office Advisory Committee (16 years).

I am writing to ask that that you take action to implement the provisions of RCW 76.13.100(2) and WAC 222-12-040(2) which provide for ....*"Alternate harvest restrictions on smaller harvest units that may have relative low impact on aquatic resources"*.

It has been 23 years since this law and rule were passed and yet small forest landowners still do not have the ability to apply for low impact alternate harvest restrictions in their forest practices applications.

I have committee notes going back to 2010 where the committee has attempted to address this 1999 legislative commitment to define and develop criteria "Relative Low Impact on Aquatic Resources" - RCW 76.13.100(4) and the 2001 FPB rule in -WAC 222-12-0403.

For whatever their reasons, the TFW stakeholders have resisted WFFA AC members attempt to address this RCW and WAC.

But recently there as been progress: The SFLO AC has unanimously adopted a definition and criteria for "Relatively Low Impact on Aquatic Resources".

This is not a proposal for rule change! It is simply language to be included in the Sec 21 board manual and subsequently in the Forest Practices Application (FPA) instructions and FPA form.

I am a consulting forester with 27 years of assisting small forest landowners with their forest stewardship – I have done dozens of FPA's.



In E. WA there are many Type F streams that are F because they meet physical criteria for “potential fish habitat” . It is important to acknowledge that at Type F does not have to have fish – It doesn’t even need to have water!

This is a good example of where provisions of “low impact” would help small forest landowners manage their land for the multiple public benefits inherent on a forested landscape.

I can’t begin to tell you how difficult and embarrassing it is to explain to a small forest landowner that FPA rules require them to leave a 75 foot buffer on each side of their dry stream bed!

In many E. WA situations these harvest entries are barely breakeven forest health and fire resiliency entries – which are actually being encouraged to meet the *DNR 20 year Forest Health Strategic Plan* !  
Sometimes less than breakeven !

Please do what is needed to comply with the above referenced RCW and WAC’s

Thank – you,

*/S/ Phil Hess*

Phil Hess, Member  
SFLO AC

P.S. Too me: It is very clear in RCW 76.13.110 (4) that the RCW established Advisory Committee can make rule recommendations directly to the forest practices board. Again, what is being proposed is not even a rule !

**From:** [REDACTED]  
**To:** [ANDERSON, PATRICIA \(DNR\)](#)  
**Cc:** [DNR RE CPL; "Dick Alescio"](#)  
**Subject:** FW: Alternate Harvest Restrictions on Smaller Harvest Units That May Have Relatively Low Impact  
**Date:** Friday, May 6, 2022 3:54:56 PM

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External Email

Patricia:

Dick asked me to forward this testimony for the upcoming FPB meeting. Thanks,

Ken

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**From:** Vivian Chesterley <[REDACTED]>  
**Sent:** Friday, May 6, 2022 2:55 PM  
**To:** Ken &/or Bonnie Miller [REDACTED]  
**Subject:** Alternate Harvest Restrictions on Smaller Harvest Units That May Have Relatively Low Impact

**Subject:** "Alternate Harvest Restrictions on Smaller Harvest Units That May Have Relatively Low Impact"

Madam Chair and Members of the Board,

My name is Richard Alescio, President of the Washington Farm Forestry Association. Our family forest land was originally purchased in 1921 with additional acres added since to now total 85 acres in Kitsap County. We are the 3<sup>rd</sup> generation to be stewards of this land, with the fourth and fifth now participating.

We greatly appreciate your fulfilling the Forest and Fish regulatory commitments made to small forest landowners (SFLO's) twenty-three years ago and to enact the promises made to us for alternate harvest restrictions. We are not industrial foresters with vast tracts and you are in a position to honor the past promises made in the RCW's and to SFLO's.

We small forest landowners are NOT the cause of loss of salmon. The State Department of Fish and Wildlife has studies which identify the causes of fish loss, not including climate change, and suggest what to do about the losses. (Treatment of land surface rain runoff, etc.)

Thank you for doing the right thing,

Richard J. Alescio

President,

Washington Farm Forestry Assoc.

Chesterley Family Tree Farm LLC

**From:** [CenturyLink Customer](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [Peter and Jane](#); [Michael Revesz](#); [Revesz, Sandra](#)  
**Subject:** Fwd: "Alternate harvest restrictions on smaller harvest units that may have relatively low impact on aquatic resources"  
**Date:** Monday, May 9, 2022 2:52:05 PM

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External Email

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**Subject:** "Alternate harvest restrictions on smaller harvest units that may have relatively low impact on aquatic resources"

Madam Chair and Members of the Board,

We are Peter and Jane Revesz and family. The several Members of our family have approximately 500 acres of forestland in Clark County that definitely should remain in forest and we hope our heirs will be able to keep forested. We have productive acres in the various stages of forest stand age and maturity. Our forests are productive and AT LEAST EVERY FEW YEARS WE HAVE A SMALL COMMERCIAL HARVEST. We have waited and tended those forest stands (some of our acres our family has owned for more than 75 years) so they potentially will be forestlands our heirs can afford to keep. Members of our family love the land and wish to retain it in reasonably productive forests. We have had a marvelous logger who has operated at a small size of harvest that has made us able to have continuing small harvests (usually thinning) every several years and yet have other stands either already mature or reaching maturity. Our forests can be perpetual, especially if the intention of the 1999 legislature to provide the flexibility to small forest landowners to have alternate harvest restrictions on smaller harvest units is at last fulfilled. Please let the SFLO's have the opportunity to do the right thing, to make their timely choices that take advantage of close knowledge and management of their ownership by individuals dedicated to those forests.

Thank you for recognizing the importance of finally fulfilling this promise to the SFLO's Of Washington State.

Peter and Jane Revesz

Dear Madam Chair and members of the Board:

My name is Bob Brink I run our family-owned 677 acre tree farm in Clark County. I have been a long time participant and observer of the Forest and Fish rules. I had the first Alternate Plan approved by DNR in the state, was on the original Small Forest Landowner Advisory Committee, and am a past president of the Washington Farm Forestry Association.

When Forest and Fish was passed, there was a sense of urgency at the state level as the Feds were implementing or proposing all sorts of draconian rules for stream buffers, owl circles, salmon protection and so on. The Small Forest Landowner contingent in those discussions and negotiations agreed to a not very good deal, with assurances from the legislature and the agencies that small landowners were being promised a different and better deal that would be worked out down the road.

It's been 23 years and we're still waiting. The state's official economic impact statement on the Forest and Fish rules stated that small landowners were going to be disproportionately impacted by these rules. While some generic templates have been approved, no significant relief has been forthcoming for our relatively low impact harvests.

The proposed template from WFFA would be a great assistance in simplifying what has become a difficult to understand set of do's and don'ts when laying out a proposed harvest. I encourage you fulfill the promises made in the WACs and orally to small forest landowners.

Sincerely,

Bob Brink

[REDACTED]

[REDACTED]

**From:** [Bonnie or Steve Pedersen](#)  
**To:** [DNR RE FP BOARD](#); [DNR RE CPL](#)  
**Subject:** LOW IMPACT ALTERNATE HARVEST PRESCRIPTIONS FOR SFLO's  
**Date:** Sunday, May 8, 2022 9:18:29 PM

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External Email

Madam Chair and FPB Members,

I own 40 acres of forestland in Lewis county and 10 acres in Cowlitz county, and am a lifetime member of Wa. Farm Forestry Assoc. I managed private forestland in SW Wa for 46 years, the last 25 of those years exclusively for family forestland owners. I was around and implementing the original 1990 rules, and the draconian 1999 Fish and Forest Rules (FFR). The saving grace in the FFR was that it provided recognition of the disproportionate impact it had on the SFLO's.

After serving 4 years on the first Small Forest Landowner Advisory Committee, an additional two years on an ad hoc separate group trying to establish some of the templates proposed, and time on a multi-agency buffer-documentation project, I became worn down and disillusioned. It appeared to me that the DNR and the board *had no honest intent to honor* the promises and commitments of those folks that developed the FFR and the legislature's following instructions. Instead, succumbing to the zero-cut ideologues in urban political power and in some of the agencies.

After 23 years of seemingly just trying to wear the SFLO's down and throwing a small bone to them every so often, it might be time for the board and DNR to truly follow the science and get on with the job of establishing meaningful low impact alternate harvest prescriptions so we can go back to growing our trees (which is what most of us really want to do) while providing all the multitude of benefits to society that accrue with that, instead of incessantly tilting at Olympia windmills. I am harvesting my 40-yr-old third growth forest at this exact time, at least partly because I have had it with the regulatory creep



I see, and frankly expect minimal, if any, relief in the future. Please prove me wrong in this.

Steve Pedersen

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [tony miller](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Low impact in small forest land ownership.  
**Date:** Friday, April 22, 2022 8:55:27 PM

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External Email

Madam chair and distinguished members.

My name is Tony Miller, stepson of Donald Theoe: WADNR forester retired, CFA #17, Piece County chapter president WFFA.

Me I am a retired residential construction worker. Now manage two tree farms for mom after dad passed away.

To me Washington state needs to go back to the beginning and reevaluate its passed promises made in 1970's thru the "fish act" to today.

My 64 acre farm in Pacific county has been on a list since 2009 for a fish passage problem and DNR tells me I am at the bottom of the ever longer list. Yet I am treated like Weyerhaeuser and at the same time like nothing. Any kind of list for FFFPP program should be 1st come 1st served.

Glad to see low impact in the vocabulary finally. 33/64 acres is not a forest. SFLO are people who love the trees for more than a \$. I came into Washington Farm Forestry Association by chance. Mom married Don Theoe, who was a WADNR forester for 40+ years and distinguished with many awards for Forestry.

Mom is was a volunteer at the Nisqually wildlife sanctuary. So we do things that improve the environment for the wildlife.

Thinning trees is one, opening up the hunting area for birds of prey. In doing this we protect our trees from fire hazards.

Remove under brush helps with fire too.

So SFLO are not in it for the money, regulations make it impossible to profit from any logging, its a place to be in and enjoy.

Thank you for your time. I hope promises made are promises kept.

Tony Miller

[REDACTED]

[REDACTED]

OP

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

## Ken Miller

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**From:** Morris Boyer <[REDACTED]>  
**Sent:** Monday, April 25, 2022 10:00 AM  
**To:** Ken Miller  
**Subject:** Alternate Harvest Restrictions on Smaller Harvest Units that May Have Relatively Low Impact

Madam Chair & Members of the Board,

Our family owns 122 acres of DFL. We manage six (6) parcels spread over 3 counties; Grays Harbor, Lewis and Pirece.

We live on our forestland, some of which, have been in our Boyer family since the 1880's. Other parcels have been purchased over the last 10 years. These parcels were typically logged, but not properly replanted. Two had been removed from DFL. We developed, submitted and implemented management plan, and returned the land to DFL classification. We strive to manage for wood, water, wildlife and recreation. What one could call the WFFA Way. We believe it's good stewardship on a sustainable basis. That's why we're lifetime members.

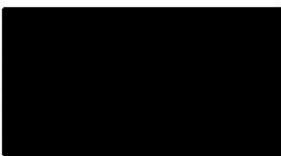
Our family is hosting a tree farm tour this July 13 at our forestland home in Porter. You're all invited. We'd love to have you. Please attend.

You'll see first hand SFLO management and family forestland stewardship up close in the flesh. Maybe the experience will help with the long lasting decisions you are tasked with making. Carpe diem.

My wife, Nina and I submitted a letter to legislators dated 2.25.2020 (attached) regarding HB 2714. It outlines why we are committed to family forestland stewardship, some of the many challenges involved and the need for greater support to sustain our tree farm legacy into future family generations.

You are in a position to take action and make a difference for families like us. We respectfully ask that you do so.

Sincerely,  
Morris & Nina Boyer



2.25.2020

Dear Senators Honeyford, McCoy, Rolfes, Salomon, Short, Van De Wege and Warnick,

My wife, Nina, and I live on 50 acres of timberland in Grays Harbor County near Porter. Parcels of this land have been passed down through our family for six (6) generations dating back to the 1880's. We are the current generation of Boyers serving as stewards of this timberland.

It is getting ever more difficult to retain this forestland; to justify owning & managing it under current conditions. We have repeatedly experienced significant financial losses over the years. Losses include riparian zone buffers, bear damage, porcupine damage, mountain beaver damage, deer and elk browse damage, and severe new seedling mortality due to summer drought and winter frost conditions. We battle invasive competing vegetation such as Scotch Broom & Himalaya Blackberry annually. Laminated root rot has decimated Douglas Fir reprod before optimum harvest rotation. Even with "No Trespassing" signs & expensive gates, garbage is dumped & vandalism occurs. These are significant, upfront and ongoing expenses in time & money invested in our 40-50 year crop. It makes holding and managing timberland a less profitable if not questionable investment all together. Yet we persevere. Why?

I have been told, "It ain't worth it. You're nuts! Sell it. Go play golf." So why carry on? Well, we strongly believe in tree farming & retaining sustainable working forests. We know our land provides a valuable renewable crop, water conservation, wildlife habitat and outdoors recreation for generations. We raised our three (3) children on this property. Our daughter, Rachel, an elementary teacher, says the forestland provided an idyllic place to grow up. And now we recognize the importance of trees as great natural carbon sequestering machines.

Since retiring in 2013, my wife & I have been busy on a personal mission: planting nearly 20,000 seedlings. It is hard work, but a labor of love. Our legacy is leaving another crop for the next generation and our civic duty to fight the scientifically proven serious consequences of global warming along the way. Studies indicate trees are a highly efficient way to store carbon. And research has shown managed forests lock up 3 times as much carbon as unmanaged forestland. Washington has some of the best forestland in the world yet our private Washington forestland is being converted to development/other uses at more than 1% per annum. At this rate, in just one generation, 1/3 of our productive forestland will be forever removed as carbon storage centers battling global warming. Alarming. In fact, this is what's "nuts!"

Bold action is required. Thank you for holding a hearing on Bill 2714. Reasonable solutions are needed, the sooner the better. Small forestland owners can help but we need greater support, in the form of added incentives to retain our property in managed forestland. We must keep as much land growing trees as possible. We believe future generations will admire our foresight.

Sincerely,

Morris & Nina Boyer





**From:** [Tom Westergreen](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Promises of Low Impact Harvest Incentives  
**Date:** Wednesday, May 4, 2022 7:29:39 PM

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External Email

Dear Madam Chair and Members of the Washington Forest Practice Board,

Billy Frank Jr. and Stu Bledsoe brought forest owners, the tribes, and all other parties together to make needed changes to how forest practices were being conducted. The 1987 TFW Agreement was negotiated in good faith between all parties and became the framework for the Forest and Fish Law. Sadly what started as honorable negotiations, with promises made to small forest owners, after 23 years, some still have not been fulfilled.

As a 4<sup>th</sup> generation small forest landowner, the promise not fulfilled that upsets me the most was the recognition during all of the negotiations that “smalls” were disproportionately impacted by the Rules and should have the option for smaller stream buffers on our low impact harvests. RCW 76.13.100(2) found that “small forest landowners should also have the option of alternate management plans or alternate harvest restrictions on smaller harvest units that may have a relatively low impact on aquatic resources.”

At the passing of F & F, I realized that “one size fits all” stream buffers were not only unfair, especially on narrow width streams or in small low impact harvest units, but also not ecologically sound across the wide variety of riparian habitats Washington has. We have used the Alternate Plan process on our tree farm to design riparian protection for our streams by utilizing site-specific conditions and our long-term sustainable management strategy. These were not easy to do, taking a tremendous amount of time to layout and provide the documentation needed to have them approved by the Forest Practice Forester and ID Teams. Because we have forestry expertise and intimate knowledge of our property, we were able to utilize this option. Most small forest landowners do not even understand the very complicated FPA Rules and cannot do complex Alternate Plans.

This is why I strongly support the WFFA proposed riparian buffer template, giving more landowners the incentive of a template option that protects stream functions and encourages the long-term management of their forests. Narrow fish streams down to 2' BFW and sometimes seasonal do not require the same buffer widths as wide streams to protect stream functions. This is just a regulatory “taking” that defies science and common sense. Even though WFFA met all the requirements of the adaptive management process in presenting their low impact template, the response continues to be NO. The way you are allowing the Policy Committee and yourselves to govern forest practices was not the intent of the original negotiators of the F & F agreement or the Legislature. You continue to block reasonable proposals that come before you and take a more extreme view of what is required for Washington to have a healthy forest environment.

The Forest Practice Board needs to evaluate its performance over the last 23 years. Have you maintained a viable forest industry sector in Washington? If you look around the state, you will see the forestry infrastructure is in trouble. What about the 50-year commitment for a stable regulatory playing field? Again you are failing. And then promises made and promises broken. Forest landowners have followed the rules, provided riparian protections, used RMAP to correct all of our road issues, and at the same time, all of the Federal Forests have been

basically preserved; still, our salmon populations are dwindling. It is evident to most of us that forest habitats are not the problem and other factors that impact salmon life cycles need to be targeted.

It is not in Washington State's best interest, both economically and environmentally, for you to manage the demise of our small, large, and state working forests. The 6<sup>th</sup> generation is now involved in our family tree farm, and they need to see support and incentives come from the Forest Practice Board to ensure their continued sustainable management of our working forest. It is time for you to honor the negotiated agreement/treaty/law initiated in 1987 by true leaders Billy Frank Jr. and Stu Bledsoe.

Sincerely Yours,

Tom Westergreen

Sumas, WA



**From:** [D.A. NEW](#)  
**To:** [DNR RE FP BOARD](#)  
**Cc:** [DNR RE CPL](#)  
**Subject:** Small forest stream setback harvest regulations - let's get the job done  
**Date:** Friday, May 6, 2022 10:14:13 AM

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External Email

Madam Chair and Members of the Board:

We have 160 acres of forestland in Snohomish County that has been in the family for 80 years. We have established a legacy plan to pass the stewardship of the land to our heirs. It is our hope that they will keep it forested, but we need your help to provide incentives for them to do so.

Twenty-three years ago with the passage of the Forest and Fish Act we were promised meaningful relatively low impact harvest restrictions on forest land such as ours. We are still waiting for you to fulfill your commitments to us when you created WACs to reflect the 1999 legislative intent on behalf of family forest owners. Some action in this regard on your part for the benefit of all family forest owners would be much appreciated. Thank you.

David New

**From:** [Ken Miller](#)  
**To:** [ANDERSON, PATRICIA \(DNR\)](#)  
**Subject:** Testimony from a WFFA member for the 5/11 Forest Practice Board meeting  
**Date:** Monday, April 25, 2022 7:03:18 AM

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External Email

Patricia:

Please forward the email below to the Forest Practice Board members.

Ken

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**From:** [REDACTED]  
**Sent:** Saturday, April 23, 2022 7:06 AM  
**To:** [REDACTED]  
**Subject:** Ken please forward to the Forest Practice Board

Subj: Alternate harvest restrictions on smaller harvest units that may have relatively low impact

Madam Chair and Members of the Board:

I am Eric Bodner. I own a rather small family forest. (I have 18 acres of forestland in Lewis County.) It is my hope that my heirs will keep it forested.

I am frustrated because it's taking you so long to fulfill your commitments to us when you created WACs to reflect the 1999 legislative intent on behalf of family forest owners.

It seems that there are still no meaningful "relatively low impact" harvest restrictions - 23 years after required in Forests and Fish.

Thank you in advance, from those of us walking the talk of "Earth Day".

Regards,  
Eric Bodner

**From:** [Susan Pattillo](#)  
**To:** [DNR RE FP BOARD](#); [DNR RE CPL](#)  
**Subject:** What SFLO's Thought We Agreed to in 1999  
**Date:** Tuesday, May 3, 2022 12:20:20 PM

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External Email

Madam Chair and Members of the Board;

Starting in the 1970's my wife, a high school Librarian, and myself, a company forester, began to accumulate timberland to build our tree farm in Pacific County by sacrificing a lot of ordinary things. We built the tree farm up to 700 acres in the 1980's, and made a good living from it, but always improved the condition of the land and wanted it to stay forever a productive and healthy tree farm. It was hard to imagine anyone could object to what we were doing, and others agreed as we were named State Tree Farmers of the Year in 2015.

We were always active in the WFFA organization, and in 1999 Commissioner Belcher made it clear that we needed to support the Forest and Fish agreement, or possibly see a much worse deal from the Federal Government later. Many of us reluctantly supported F & F because we were promised a large package of incentives and items to reduce the new rules impacts on small timberland owners. Many of these promises have been forgotten about or ignored by later legislatures and Forest Practice Boards, and in fact many rules have become more severe to us. We at first thought Adaptive Management meant that some rules could be reduced if they were later proven to be overreach, but in reality rules have only increased and become more damaging to our businesses.

The Washington Farm Forestry Association has spent an enormous amount of money and time (both paid experts and mostly volunteer help) to try to remind you of what we were promised and to prove that we can work on the land with a much lesser impact than larger operations. We have shown you peer reviewed science that many of our RMZ widths could be reduced with no damage to habitat, but we cannot seem to get any meaningful reductions. Our motives I think are the best, we want to keep our land green and productive, and not broken into small residential sites, but we need your help.

Thank You,  
Greg & Sue Pattillo  
Raymond, WA