
Minutes
Board of Natural Resources Meeting

September 5, 2023

Webinar/Natural Resources Building, Olympia, Washington

BOARD MEMBERS PRESENT

The Honorable Hilary Franz, Washington State Commissioner of Public Lands

The Honorable Lisa Janicki, Commissioner, Clallam County

The Honorable Chris Reykdal, Superintendent of Public Instruction

Jim Cahill, Designee for the Honorable Jay Inslee, Washington State Governor

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

Wendy Powers, Dean, College of Agricultural, Human, and Natural Resource Sciences,

Washington State University

1 **CALL TO ORDER**

2 Chair Franz called the meeting to order at 9:05 AM.

3
4 Board members provided self-introduction. A meeting quorum was confirmed.

5
6 **WEBINAR/SAFETY BRIEFING**

7 Tami Kellogg, Board Coordinator, outlined how to view and participate in the combined webinar
8 and in-person meeting.

9
10 **APPROVAL OF MINUTES**

11 Chair Franz called for approval of the minutes for the July 5, 2023, Regular Board of Natural
12 Resources Meeting.

13
14 **MOTION:** Commissioner Janicki moved to approve the minutes.

15
16 **SECOND:** Mr. Cahill seconded the motion.

17
18 **ACTION:** The motion carried unanimously.

19
20 **LIGHTNING TALK - *Information***

21 **Recon & Streams/Wetland Typing**

22 **Noelle Nordstrom, Fish and Wildlife Biologist, Olympic Region**

23
24 Ms. Nordstrom presented information on the agency's recon and streams/wetland typing
25 activities.

1 Water typing is a process of categorizing streams based on fish use and stream physical
2 characteristics. Stream width and gradient measurements are recorded, and natural barriers are
3 mapped. Riparian buffer widths are established along the streams based on the stream type. The
4 Riparian Forest Restoration Strategy (RFRS) includes all details for stream typing and buffers
5 used by DNR's westside planning units except for the Olympic Experimental State Forest which
6 has a different buffer methodology.

7
8 Ms. Nordstrom's briefing focused on smaller streams encountered when setting up timber sales.
9 The process of identifying and delineating wetlands, channel migration zones, and flood plains
10 are included in water typing. State Lands foresters and engineers initiate most water typing
11 based on physical measurements. Five water types include Type 1 waters comprised of
12 shorelines of the state and regulated by the Department of Ecology. Type 2 waters have a high
13 fish or human use and stream segments have a defined channel of 20 feet or greater between the
14 ordinary high-water mark and have a gradient of less than 4%. Type 2 waters are used by fish
15 for spawning, rearing, or migration. Type 2 waters include lakes, ponds, or impoundments with
16 a surface area greater than one acre or more at seasonal low water or used by fish or off-channel
17 habitat critical to fish survival. Type 3 streams are the most common fish-bearing waters
18 inhabited by any type of fish. Type 3 waters have a defined channel width averaging two feet or
19 greater measured from the ordinary high-water mark. The gradient must average 20% or less if a
20 stream's contributing basin size is 50 acres or more or has a gradient of 16% or less if the
21 contributing basin is less than 50 acres. Ponds or impoundments must be greater than .5 acre.
22 Type 4 waters are stream segments defined as a channel of two feet or greater from the ordinary
23 high-water mark to ordinary high water mark with a gradient of 16% to 20% or higher depending
24 on the basin size, or lower gradient streams above natural barriers where fish absence has been
25 proven. Type 5 waters are all other waters with a channel averaging less than two feet wide and
26 streams without or without well-defined channels.

27
28 Ms. Nordstrom reviewed the buffer widths for each water type.

29
30 The definition of ordinary high-water mark is the presence and movement of water in normal
31 years along beds and banks of streams and rivers. The consistent and seasonal action of water
32 creates a difference in soil appearance and vegetation between the watercourse and the upland.
33 A stream channel is defined by a sharp incision into the substrate where water and sediment are
34 transported in concentrated flows and vegetation and organic debris is typically absent.
35 Important clues include stream bank shape, changes in stream and bank substrates, and changes
36 in vegetation.

37
38 Before measuring creeks, foresters use GIS reconnaissance and ground truthing of streams in the
39 project area. Basic tools are a clinometer to measure stream gradient, a tape measure for
40 measuring width, and GPS for recording location data. Width and gradient stream measurements
41 are completed at 50-foot intervals along a stream. Foresters encountering fish habitat upstream
42 of a natural fish barrier consult with the region's biologist to determine if an electrofishing
43 survey is appropriate. Surveyors must be qualified and trained for electrofishing surveying. The
44 season for protocol electrofishing is March 1 through July 15 with some shift in dates depending
45 on weather patterns and drought conditions. Permits are required from the Department of Fish
46 and Wildlife, U.S. Fish and Wildlife Service, and NOAA/National Marine Fisheries Services.
47 Tribal consultation is also required for electrofishing surveying. Electrofishing surveying begins

1 at the first accessible pool of a natural barrier and ends at a logical end, such as confluence of
2 smaller streams or another barrier. Requests for electrofishing after the protocol season has
3 ended often occur if the questionable stream is located above a significant waterfall. Drought
4 conditions must be absent and water levels must be normal to complete surveying. Survey efforts
5 provide wildlife data to the Washington Department of Fish and Wildlife. The Department is
6 required to report on all stream life encountered each year. Once foresters have stream
7 measurements and electrofishing results, water type modifications forms are completed and
8 submitted to Forest Practices. The forms address location changes as well as water type changes.
9 The forms are distributed to stakeholders and sister agencies for review. Following acceptance,
10 the forms are used to update both Forest Practices and State Lands water typing systems. Water
11 typing is one of the foundational activities for planning timber harvests and other land use
12 activities. Beyond improving the accuracy of stream data, water typing activities serve as a
13 pathway of discovery of other issues requiring attention, such as cultural resource sites, geologic
14 concerns, illegal water diversions, and wildlife activity.

15
16 Dr. Brown said he understands Type 5 streams do not currently have buffer width requirements.
17 Ms. Nordstrom said Type 5 streams do not have established buffer distances; however, a 30-foot
18 equipment limitation zone is required. Type 5 streams also serve as a good location for leave
19 trees. Frequently, Type 5 streams are associated with unstable slope conditions or a wetland.
20 Dr. Brown inquired as to whether there are separate riparian practices DNR implements from
21 those required by Forest Practices. Ms. Nordstrom confirmed that the agency's RFRS outlines
22 buffer widths. State Lands established larger buffer widths than required by Forest Practices.

23
24 Dr. Brown asked about the possibility of pursuing some discussions for enacting buffer width
25 requirements for Type 5 streams. Ms. Nordstrom said she is unaware of any discussions but that
26 the issue would be important to consider because Type 5 streams often encompass a wide variety
27 of water movement throughout the landscape. Some flexibility for creativity for protection of
28 those areas would be important.

29 30 **PUBLIC COMMENTS**

31 **Matt Comisky, American Forest Resource Council**, acknowledged and thanked the Board and
32 staff for affording the opportunity to participate in the recent Board retreat in the Northwest
33 Region highlighting the working forest and recreational opportunities. The agency's recreational
34 program relies heavily on the timber sales program to provide recreational services. He is also
35 interested in the Chair Report on the Collaborative Asset Management Outreach (CAMO)
36 project as there are some concerns about county commissioners speaking on behalf of junior
37 taxing districts. The presentation highlights counties while independently elected boards and
38 junior taxing districts should have a voice as well. In terms of intergenerational equities,
39 decision makers today making non-science decisions without considering future generations is
40 important to consider as conversations continue moving forward. Mr. Comisky thanked product
41 sales staff, foresters, and engineers for presenting a good list of timber sales.

42
43 **Heath Heikkila, American Forest Resource Council**, referred to a USDA assessment and its
44 implications for policymakers. Approximately 44% of the state's forests are owned by the
45 federal government with no or limited timber harvest of forests with an average age of 126 years.
46 Forests in U.S. National Parks have an average age of 192 years. USDA's recent assessment
47 found carbon sequestration rates in the nation's forests are slowing as forests age. Younger

1 forests sequester carbon at much higher rates than older forests. Unless something changes, the
2 assessment found that the nation's forests currently sequestering approximately 15% of the
3 country's CO2 emissions will become net emitters by 2070. Forests in some regions are
4 currently net emitters due to natural mortality, insects, and wildfires. The assessment also
5 predicts fire mortality in the U.S. Pacific region increasing by 63% to 100%. Emissions from
6 wildfires could be enormous. The findings underscore the importance of following the
7 international scientific consensus on managing forests and meeting society's needs for carbon-
8 friendly wood products. Sustainable forest management strategies aimed at maintaining or
9 increasing forest carbon stocks while producing an annual sustained yield of timber, fiber, or
10 energy would generate the largest sustained mitigation benefit. With half of all DNR forests in
11 Western Washington already set aside from harvest, setting aside more forests is a questionable
12 climate solution as well as importing more wood products from other countries that do not share
13 similar values. He thanked the Board for its support of staff and the work completed for real
14 climate solutions.

15
16 **Ed Bowen, Clallam County**, conveyed support for a proposed timber sale benefiting his region.
17 He is concerned with the volume of acreage conserved versus acreage harvested for that
18 particular sale. He reiterated a request to the Board to address how members intend to address
19 the Sustainable Harvest Calculation (SHC). Based on his knowledge, the Board has lacked any
20 discussions or presentations on the SHC for 2024/2025 since April 2023. As the first quarter of
21 2024 is nearly completed, not much time remains before a new SHC is required. He asked for an
22 evaluation of the importance of completing the SHC because the public lacks information about
23 the new SHC. He spoke about a \$2.5 million and \$70 million funding allocation and how the
24 proposal benefits Clallam County.

25
26 **Rod Fleck, City of Forks**, acknowledged and thanked DNR firefighters in the Olympic Region
27 who have been exceptionally busy. The number of fire events in the Olympic Region has been
28 over 50 involving 150 acres to include a response to a second and small fire within the City of
29 Forks extinguished quickly by multiple responders. Everyone appreciates their commitment and
30 dedication. He spoke in support of the purchase of the Reade 80 block under consideration.
31 Although, the action adjusts taxing within the districts and subdistricts, the ability to
32 sustainability manage the property is important to ensure it does not become part of another
33 effort to set property aside in the future to help offset the nearly 50% of DNR managed lands in
34 the Olympic Experimental State Forest (OESF) for junior taxing districts. A report is scheduled
35 for completion in early December on the \$70 million funding allocation. The report will include
36 some discussion about the 2,000 acres to be acquired. He plans to follow up with legislators
37 about the report prior to and after the report is due.

38
39 **Miguel Perez-Gibson, Washington Conservation Action**, noted that the basis of the timber
40 sales controversy is how the sales are logged. Instead of variable retention harvest strategy or a
41 minimal retention harvest strategy, other strategies such as biodiversity pathway strategies could
42 be employed based on current Board policy. Although the policy is nearly 20 years old, much
43 more tree retention is feasible given the older stands carry three times the average volume of the
44 average sale. Revenue issues could be minimized. With respect to Forest Board transfer lands,
45 it is important to consider that unlike the federal trust with trusts identified separately, Forest
46 Board transfer lands constitute a single trust. While DNR is authorized to manage lands as an
47 undifferentiated whole, the Department does not need to separately account for management of

1 lands located in each county. There is management flexibility in managing a single trust as per
2 the statute. The concepts of a unitary trust model should be considered. DNR utilizes
3 Woodstock, a linear program optimization model for the SHC. Previously, DNR has optimized
4 present net value. A forest landscape model should be used that simulates forest growth and
5 succession as a range of disturbances such as fire, wind, insects, and climate change influence
6 the forest. Multiple objectives need to be weighed.

7
8 **Ed Martin, Western Forest Products**, cited the company's three forest products manufacturing
9 facilities in the state converting the best renewable resources to items that enrich the lives of
10 Washingtonians. He thanked staff for tireless efforts in defending forest land from wildfire,
11 upholding the trust mandate, and creating healthy forests for everyone to enjoy. Staff should not
12 be discouraged or waiver from the noble and good work performed. Each timber sale developed
13 is important to the people who live in communities around Washington. Compared to recent
14 months, a list of timber sales is under consideration for approval. Hard work and due diligence
15 were completed so the Board may confidently approve those timber sales. The timber sales
16 program under the Board's fiduciary responsibility has failed to meet targets each year, a trend
17 negatively impacting beneficiaries, working people, and the ecosystems of the state. He
18 encouraged the Board to change the trajectory and results for fiscal year 2024 by approving all
19 timber sales.

20
21 **Robert Mitchell** cited a cartoon depicting business as usual in the form of a freight train and a
22 recommendation of a railroad switch to enable the freight train to divert upon a set of tracks
23 leading to predictable revenues for passengers and beneficiaries while the discontents have more
24 trees and less electrofishing to pay for the preservation of riparian buffer zones regardless of the
25 presence or lack of fish. The switch is modeled on Idaho's Land Endowment Fund. He
26 contacted staff in Idaho about the fund, which is a win-win solution. He looks forward to
27 continuing to educate the state on the win-win solution.

28
29 **Paul Butler, Thurston County**, said he supports a viable timber industry and appreciates the
30 expertise that turns trees into usable wood products. He does not, however, understand how
31 some sectors of the industrial forest community can complain that they are not receiving enough
32 timber from state managed lands. They complain that the state is importing logs from Canada
33 when the logs could be obtained within the state. There are sufficient trees harvested in the state
34 to meet those needs. Unfortunately, a significant percentage of the timber is shipped to Asia. It
35 is not the state's responsibility to make the industry whole while a segment of the industry is
36 driven by maximizing return on capital. On July 21, 2022, Washington State Supreme Court
37 confirmed the state has a constitutional mandate and broad authority to serve all people of
38 Washington when managing state lands. The unanimous decision recognized that DNR can
39 integrate the many diverse public benefits of forests beyond maximizing revenue generation for
40 timber harvest. Reimagining the trust is complicated and would require legislative action to
41 serve all people. Meanwhile, many people would support a moratorium on logging older forests
42 on state lands because of their outsized contribution to combating climate change through carbon
43 sequestration. It is important to consider the stand origin dates for proposed October timber
44 sales. The age dates are ridiculous. The need to sequester carbon in older forests far outweighs
45 short-term revenue generation. Sufficient volume is available in existing DNR plantations to
46 meet current trust obligations.

1 **Joshua Wright** commented on the proposed Hornet and Gremlin timber sales located on the
2 Grays Harbor side of Capitol State Forest. Lidar modeling of structurally complex forests by the
3 Legacy Forest Defense Coalition indicates only 5% of the land base on the eastern side of
4 Capitol State Forest contains structurally complex old or legacy forests. The proposed timber
5 sales would clearcut 7% of the remaining 5% of complex forests. Prior speakers promoting so
6 called sustainability of clearcutting forests are paid to attend the meeting similar to actions of the
7 tobacco industry and the fossil fuel industry by manufacturing consent and speaking to scientific
8 consensus that logging trees is the most environmentally friendly action when any fourth grader
9 would say such action is patently absurd. He also takes exception to the Western Forest Products
10 speaker as the company is a Canadian corporation that makes most of its money logging old
11 growth forests on Vancouver Island. The company arrested indigenous-led protestors of
12 blockades in their territory. They have logged into unseeded territories and old growth forests
13 without the consent of traditional owners of those lands while conveying to the Board that saving
14 forests is environmentally unfriendly when the company logs trees that are 2,000 years old.

15
16 **Kyle Krakow** advocated for a moratorium on the logging of mature, structurally complex, and
17 naturally regenerated forests in Western Washington. Those forests are invaluable and once
18 clearcut, are gone forever. According to the Policy for Sustainable Forests, the procedures for
19 identifying and managing structurally complex forests and the Multispecies Conservation
20 Strategy in the HCP tasks DNR with maintaining or restoring fully functional and old growth-
21 like forests on 10% to 15% of lands covered by the HCP. He asked how the agency expects to
22 meet the target if logging continues of thousands of acres of older forests each year. DNR can
23 alter a destructive pattern of behavior and choose to put an end to the ecocidal nonsense of
24 legacy forest clearcutting. Start today and reject the proposed timber sales.

25
26 **Lynn Fitz-Hugh** asked the Board to restore the column in the listed sales document that
27 indicates the average age of trees. The column disappeared after she and others called out the
28 average ages of older trees. The date of stand establishment does not reveal what has been cut
29 previously. Thanks to the Legacy Forest Defense Coalition for pointing out that numerous
30 proposed timber sales are all legacy forests and for providing pictures reflective of trees with
31 circumferences in the 40s. Although many are marked as leave trees, solo trees or a grove are
32 not forests, which will be destroyed forever. The action also destroys the ability for DNR to
33 fulfill its long-neglected commitment to work towards 10% to 15% of the lands returned to older
34 forest targets. She referred to a letter from politicians across the state asking the Board to
35 pullback Power Plant on the Elwha, a spot sacred to many. The planned vote should be
36 cancelled on the Carrot timber sale in December since Thurston County Commissioners have
37 repeatedly asked the Department not to destroy legacy forests in Capitol State Forest. The
38 agency is supposed to create a new SHC that will account for climate change, which has not been
39 completed. Now, the race is to catch up on board feet by cutting older forests. She questioned
40 future actions by the Department after all forests have been clearcut.

41
42 **Dr. Julie Ratner** commented on the emotional testimony by many speakers. She asked whether
43 the Board noticed the hundreds of people rallying during the Board's recent retreat. She
44 questioned whether the Board reads letters and listens to testimonies or even acknowledges the
45 lawsuits. The public is reaching out to the Board to listen to the science and change direction.
46 The Board is misinterpreting the science when considering the USDA study. The Board should
47 listen to Dr. Dominick A. Dellasala and Chad Hanson and stop the craziness. DNR should cease

1 inventorying all state lands and then seeking public comment. Reassignment of members on the
2 Board is necessary, as there is conflict of interest of people who are trying to save DNR as a
3 historic monstrosity not in sync with the importance of saving trees for the health of citizens.
4 Apply the carbon sequestration metric and make it a priority to be accountable as the forests are
5 public lands.
6

7 **Donna Albert** asked for the cessation of timber sales of mature forests. She shared an article on
8 creating strategic reserves to protect forest carbon and reduce biodiversity losses in the United
9 States. The paper provides a review of strategies to increase forest carbon and reduce the loss of
10 species. The Intergovernmental Panel on Climate Change (IPCC) in contrast with previous
11 testimony found that maintaining biodiversity and ecosystem services on a global scale is
12 fundamental for climate mitigation and requires conservation of approximately 30% to 50% of
13 land, fresh water, and ocean areas including current near-natural ecosystems. The next 10 to 30
14 years is a critical window with ecological destruction expected to accelerate. The Board is in a
15 position to make a decision at a time when things are changing quickly. The Board is receiving
16 much misinformation and some is from universities. The Board needs to be intelligent to figure
17 out the issues. The Board should review the information and a chart reflecting how mature
18 harvests during the short time release most of its carbon.
19

20 **Sarah Gardam, Whatcom County**, requested a moratorium on the logging of mature, naturally
21 regenerated forests in the state.
22

23 **Lee First, Twin Harbors**, referred to several proposed timber sales in the Willapa and Chehalis
24 watersheds. She visited several of the areas and observed stands of trees at least 80 years old and
25 structurally complex and naturally regenerated representing a diverse mix of species. The units
26 contain many small streams. Buffer requirements for Type 5 streams should be enacted. The
27 upper Willapa and the Chehalis Rivers are at critically low levels and are breaking records. The
28 lack of large, older trees in the headwaters of the rivers degrades the rivers. Without structurally
29 diverse forests, rivers in rain fed watersheds will continue to reach historic lows. The
30 consequences are dire. Areas within the Willapa watershed as well as the Chehalis watershed
31 have no large, protected areas, no national parks, and no national forests. The only public land is
32 managed by DNR. The small areas of older structurally complex forests are what remain of old
33 growth in the watersheds. The continued systematic elimination of those special forests in
34 southwest Washington constitutes the most urgent environmental crisis in the state. It is
35 scientifically, financially, and economically indefensible. The Board should slow the destruction
36 and consider other alternatives. People are requesting a pause.
37

38 **Court Stanley, Washington State Association of Counties**, said he represents private and
39 public forestry issues and has assisted small forest landowners with management on the health of
40 the land. A majority of small landowners manage their lands as part of a long rotation of 60 to
41 90 years. The stands are typically naturally regenerated second growth. It is difficult to identify
42 mills that are willing to take larger diameter logs. He is not aware of any specialty mills in
43 southwest Washington. He was recently contacted by a company interested in constructing mills
44 in southwest Washington to produce solid beams for lodges and high-end housing. The
45 company needs a supply of larger, high quality Douglas fir. He was asked about supply. Many
46 small forest landowners have older age class stands as well as some industrial landowners. To
47 keep small and mid-size landowners employing long rotations, they need assistance from DNR

1 to keep mills operating. He asked for the Department's assistance in rural counties to keep mills
2 interested in producing forest products.
3

4 **Ed Chadd, Clallam County**, referred to the Forest Service Report on climate change and forests
5 and a letter from more than 100 scientists refuting the report. He forwarded the letter to DNR.
6 Other than for biased science, there is growing awareness of the multiple values of structurally
7 complex carbon dense forests. DNR has recognized those values and is working on a set of
8 measurable criteria. DNR should continue those efforts and identify scientifically valid criteria,
9 conduct a thorough ground truth inventory of forests across the state, and pursue changes by the
10 Legislature to develop a rational policy for the protection of forests to include assistance to
11 taxing districts to remain whole over the short- and long-term. Elected officials across the state
12 are requesting cancellation of timber sales and will likely be seeking a solution during the next
13 legislative session. DNR should be promoting those efforts and work with legislators on
14 solutions. Until then, sales of older parcels should be placed on hold with further work on future
15 sales of older parcels halted.
16

17 **Professor Sally Keely** reported she lives in and works for the state in support of freshwater
18 rivers, previous legacy forests, and its biodiversity. TCB 23 and Power Plant proposed timber
19 sales are located adjacent to the Elwha River and play an important part in watershed restoration.
20 The City of Port Angeles urged DNR to delay harvests of the two vital forests in its April letter.
21 She thanked a growing list of supportive state officials and thousands of residents. The federal
22 government spent \$327 million in Elwha River restoration post-dam removal. Her daughter
23 spent several weeks on the Elwha River last spring documenting the post-dam restoration. Her
24 research team at Western Washington University presented its findings showing that the
25 restoration is working to restore salmon habitat and recover endangered species. Logging forests
26 would be a devastating setback as the Elwha River watershed and the steep slopes located
27 between the dams and the river warrant proactive and ongoing protection. As asked during each
28 meeting, the state is experiencing a climate emergency with forests serving as the best natural
29 climate defense. She urged the Board to implement a mature forest policy that protects
30 remaining structurally complex forests and immediately declare a moratorium on the logging of
31 any mature and old growth forests. Forest ecosystems are needed to work for the people of the
32 state undeterred by industrial intervention. She implored the Board to preserve all remaining
33 mature forests and surrounding protective snag forests that serve as biodiversity havens.
34

35 **Joe Beavers, resident of Gold Bar**, reported in 2006, Heybrook Ridge was scheduled for
36 harvest. Citizens of Index did not want to view a prominent harvested area whereby someone
37 wrote a check and the problem was solved. In 2018, Weyerhaeuser planned to harvest its timber
38 including the trail to Lake Serene. Forterra did not want to lose the canopy over the trail and
39 someone subsequently wrote a check and the problem was solved. In 2017, DNR planned to
40 harvest Singletary with some people opposing the timber sale but some supporting the
41 elimination of \$1 million from rural schools and another \$1 million from other agencies, such as
42 the local fire districts. First responders and local hospitals continue to treat recreationalists who
43 encountered accidents. Other agencies affected included libraries and county roads, as well as
44 other agencies to include DNR. Today the sequel is occurring except with a bird-watching
45 society instructing county councils on proper forest management. DNR has the experience,
46 dedication, educational, and technical expertise to manage forests for the benefit of all in
47 perpetuity. The Board should do more to publicize DNR. He recommended adding DNR to the

1 agenda of Snohomish County Council and King County Council meetings to provide
2 presentations on DNR's work on climate change mitigation. The May PowerPoint presentation
3 would be a good place to start. The difference between low old growth potential and high old
4 growth potential stands would be beneficial as well as sharing a copy of the Singletary SEPA
5 report.
6

7 **Greg Bellamy, Clallam County Fire District 5**, presented a letter from a former County
8 Commissioner and Board of Natural Resources member. He asked whether county
9 commissioners have the legislative authority to set the standards for its land trust. He was told
10 no by the former county commissioner. Currently, the county's prosecuting attorney is
11 reviewing the issue and is aware of his attendance at the meeting. The fire district has no
12 problem with DNR; however, the middleman between the fire district and DNR is problematic,
13 and the fire district believes it has a right to be heard. County commissioners work for the public
14 as elected officials. DNR has continued to listen to the district's concerns.
15

16 **Danny Ahrens, Clallam County Fire District 5**, said he is a Fire Commissioner and as the
17 previous speaker indicated, he is questioning the authority in charge of approving the funds the
18 fire district receives. The fire district is seeking assistance in dealing with the county
19 commission because the fire district believes it has fallen through the cracks. The fire district is
20 a small district with less than a dozen volunteers to serve the community. He appreciates the
21 opportunity to attend the meeting.
22

23 **Heather Quinones** said she serves as the Fire Chief for Clallam County Fire District 5 and is
24 attending to learn about the district's funds. The fire district has been busy this year. She
25 participated in 40 airlifts within the last eight months and would like to ensure firefighters and
26 EMTs have the necessary gear and equipment. She asked about the responsibility for allocating
27 trust funds to the district.
28

29 **Jim Oliver** thanked the Board for not meeting in August to approve another round of clearcuts to
30 wipe out diverse mature forests, blanket the land with herbicides, and replace them with
31 monoculture tree plantations. It was nice for everyone to have a break to consider this tragic
32 story. He is sure the Board's patrons in the timber lobby also appreciated the chance to get a
33 vacation from watching the Board force the taxpayers of Washington to help keep their dying
34 archaic industry afloat. As usual, he is speaking about this month's egregious menu of clearcuts
35 and the beloved Seahawks as the new season is just beginning. Everyone is excited to build on
36 last year's unexpected run at the playoffs. As a reminder, Russell Wilson who was traded to the
37 Denver Broncos 18 months ago will be paid \$28 million this year averaging \$1.64 million per
38 game unless Denver somehow makes the playoffs, which is unlikely. This month's round of
39 DNR clearcuts of state forests is expected to provide \$15.6 million to pay for 9-1/2 games of
40 subpar quarterback play in Denver. It serves as the contrast between how a smart football team
41 spends \$28 million and how a dumb football team spends \$28 million as it speaks to the contrast
42 between how a smart administrative body could manage 77,000 acres of forest for wildlife
43 habitat, recreation, hunting, fishing, biodiversity, carbon storage, and other essential ecosystem
44 services and how a dumb one could give it away to line the coffers of Sierra Pacific in
45 California.
46

1 **Nina Sarmiento** said she works for the Center for Responsible Forestry and serves as a tour
2 guide. The Commissioner of Public Lands is doing nothing to help future generations with
3 climate change. No one wanting a mature forest policy is against logging; however, Sierra
4 Pacific representatives and the AFRC are visiting counties to scare everyone about a potential
5 crisis by telling citizens that clearcutting important watersheds, such as the Elwha is an important
6 environmental service and that by turning future old growth forests into plantations, more carbon
7 will be sequestered. Those are lies. A climate solution is to protect mature forests. The federal
8 government recognizes the need to protect forests. Forests in the Pacific Northwest sequester
9 more carbon than any other ecosystem in the world. Bypassing science hurts the community
10 when it has to deal with water shortages, landslides, flooding, drought, loss of wildlife and
11 endangered species, wildfire, salmon runs washed away by surging flows, and salmon
12 suffocating when covered by fine sediment from erosion. Buffer zones are politically negotiated
13 measures to maximize revenue for the multi-million-dollar timber industry. The Commissioner
14 of Public Lands is lining the pockets of the timber industry and they are lining the pockets of the
15 Commissioner. Thousands of people have asked DNR to cancel the Power Plant timber sale on
16 the banks of the Elwha River. Salmon are sacred and DNR is not studying the cumulative effects
17 of logging on stream flows and salmon habitat. She questioned why DNR is not studying the
18 cumulative effects of logging on the soil where over 50% of carbon is stored in the forest.
19

20 **Kari Martinez-Bailey** reported she serves as the City Clerk for the City of Port Angeles and is
21 speaking on behalf of the City Council and City residents. The request is a pause of the Power
22 Plant timber sale in the Elwha watershed. The continued request is offered in an effort to protect
23 the City's future water supply. The City Council declared Stage 3 Water Shortage on October 4,
24 2022 lasting through early November. A stage 3 water shortage means that City water supply is
25 critically impacted and immediate restrictions on outdoor water usage must be implemented.
26 The City Council is scheduled to take action and declare a State 3 Water Shortage much sooner
27 than in previous years. The Elwha River is a critical local water supply that the City is obligated
28 to protect. The Elwha River is the only water source serving the entire Port Angeles population
29 and over 25% of the countywide population. Through interlocal agreements, the water is
30 purveyed beyond City boundaries. The request has unanimous support of the City Council who
31 voted to raise its concerns on September 20, 2022 regarding the timber auction. As a city, it is
32 necessary to have ample time to review the long-term impacts to local water supply and the
33 watershed. The community has circulated a grass roots letter of support for the city's position
34 and they have signed as supporters.
35

36 **CHAIR REPORT.**

37 **Collaborative Asset Management Outreach (CAMO) Update- *Informational***

38 **Sarah Ogden, Trust Outreach Specialist**

39 Chair Franz summarized the purpose of the outreach efforts. DNR's forest management
40 practices are informed primarily by the Washington State Board of Natural Resources, DNR, and
41 through conversations with trust beneficiaries. The intent of the outreach is to engage with
42 beneficiaries, as well as with the public at the local level and with local government leaders and
43 junior taxing districts through outreach efforts focusing on education, information,
44 understanding, and decision-making. Outreach to county beneficiaries will include
45 conversations on critical environmental, social, and economic needs of the communities to assist
46 in understanding their needs better, as well as understanding the constitutional, statutory, and
47 intergenerational responsibilities of counties and junior taxing districts. Information will be

1 shared on the recent expansion of DNR's tool sets, such as Trust Land Transfer and other tools to
2 include carbon. The entities were invited to collaborate with DNR on a forest management
3 strategy for county trust lands. The first invitation was sent to five counties based on feedback
4 from those counties. Those counties included Whatcom, Jefferson, Thurston, Mason, and King
5 Counties. Other efforts included working with the Washington Association of Counties to
6 identify other countries that might be interested. Other counties to be contacted in the future
7 include Chelan, Clark, Okanogan, Piece, Skagit, and Skamania. However, DNR plans to engage
8 with all counties.

9
10 Ms. Ogden briefed the Board on the Collaborative Asset Management Outreach (CAMO)
11 project. The project was initiated in response to increasing requests to defer or cancel timber
12 sales by county leadership, an increasing division between beneficiaries in some counties, a need
13 to share more information, and as an avenue to provide some education and engagement with
14 trust beneficiaries. The project provides an opportunity to listen more closely to counties to
15 understand goals and priorities.

16
17 CAMO was created to begin collaborative efforts on asset management with county leadership.
18 The effort focuses on trust land assets within each county, specifically state forest transfer lands.
19 State forest transfer lands were lands foreclosed on by counties in the 1920s and 1930s and
20 deeded to the state for management. State forest transfer lands are fiduciary trust lands with
21 counties and junior taxing districts as the primary beneficiaries. It is important moving forward
22 for all beneficiaries to understand the laws, policies, and science that governs the Department's
23 management of trust lands, as well as understanding the Department has some discretion in
24 management while not harming beneficiaries.

25
26 CAMO is collaborative engagement with DNR to address the wide variety of opinions and
27 concerns about specific timber sales and DNR's management in general. Each choice by DNR
28 includes complicated trade-offs. Each county has different thresholds for risks and trade-offs to
29 consider. DNR plans to work with counties to better understand those thresholds and learn how
30 it can use new and existing tools for more flexibility in management while maintaining current
31 trust obligations. The ultimate goal is attaining a shared understanding about the plan for trust
32 land management in each county.

33
34 Discussions will be initiated with six main themes of (1) revenue to support local services, (2)
35 sustainable forest management, (3) fish and wildlife habitat conservation, (4) carbon storage, (5)
36 contribution to local economies, and (6), multiple uses of trust lands.

37
38 The next step is a robust discussion with counties on where and how to adjust the six main
39 themes to more closely align with county goals while also maintaining the Department's
40 fiduciary responsibilities. As meetings progress, DNR will introduce and discuss new and
41 existing tools that provide some flexibility in trust land management. The tools can help DNR
42 achieve different types of objectives, such as conserving rare or critical ecological features or
43 habitat, improving trust asset performance, improving access to recreation, increasing carbon
44 sequestration or storage, and supporting local mills and local economies.

45
46 Initial meetings for Cohort I counties will begin in September. Meetings will continue, as
47 needed, through the fall and winter. Additional counties will be selected for a second cohort,

1 including those expressing interest in collaboration and those that have been proactively
2 identified by staff. All meetings are open to the public.

3
4 Dr. Brown referred to public comments seeking information on how trust revenue to counties is
5 distributed. He asked how trust revenue generated within a county is currently managed and
6 reconveyed to the county. Ms. Ogden explained that trust revenue generated within a county
7 through timber sales and other revenue-producing activities is disbursed to the county treasurer.
8 The county treasurer disburses the revenue to junior taxing districts according to levy and tax
9 rates.

10
11 Duane Emmons, Assistant Deputy for State Uplands, acknowledged the complications
12 surrounding the question as federally granted trusts are much clearer. The recent Washington
13 State Supreme Court ruling of *Conservation v. Franz* asked the question of whether there is a
14 trust for federally granted lands, and if so, what is DNR's responsibility. Obviously, they are a
15 trust and DNR's responsibility is under the fiduciary standard listing for all trust responsibilities
16 with DNR held to an abuse of discretion standard. County trusts are statutory trusts created by
17 the Legislature and recognized as a true fiduciary trust. The court case of *Skamania v. State*
18 considered the issue of trusts and identified county trust lands. In the AGO 1996 No. 11 August
19 1996 Opinion, the joint legislature asked the Attorney General's Office to review trust lands and
20 the Department's Habitat Conservation Plan. A retired Supreme Court Justice was consulted
21 along with a retired Thurston County Superior Court Judge to review the broad suite of trust
22 lands. County trust lands can be managed as a uniform trust; however, there is some disconnect
23 because revenue distribution is defined in statute as distributed in the same manner as property
24 tax. When DNR receives revenue from a piece of property the revenue is conveyed to the county
25 that holds it in trust to be distributed to junior taxing districts within the county. The Board,
26 during the development of the SHC determined each county should be managed as a separate
27 harvest unit except for Capitol State Forest, which is managed separately and the Olympic
28 Experimental State Forest. Both the Legislature and the Board determined county trusts should
29 be generally managed individually. When revenue is generated, DNR retains its management
30 rate of 25% for maintenance because DNR does not maintain individual revenue and expenditure
31 accounts for each trust.

32
33 Superintendent Reykdal commented on the lack of a nexus between Common School Trust and
34 school districts as the revenue for Common School Trust is allocated to the state capital budget
35 for capital appropriation to school districts. He noted that county revenues from state forest
36 revenue is also allocated to local school districts but not on a regular basis based on the timing of
37 timber harvests or other revenue generating activities within the county. He asked about the
38 possibility of collaboration efforts to include legislators to discuss state forest trust lands,
39 common schools, and potential mechanisms to implement a steady revenue stream for schools.

40
41 Chair Franz responded that a main objective of the conversation is to generate closer
42 relationships with beneficiaries of counties and junior taxing districts to ensure inclusion within
43 the leadership and implementation of forest management plans and strategies. Another desired
44 outcome is calling out many challenges different counties are contending with based on revenue
45 to the counties and junior taxing districts that could generate some considerations and be pursued
46 through the Legislature. DNR's intent is to generate a list of management actions for potential
47 legislation to provide better tools.

1 Mr. Emmons provided additional clarification on Common School Trust versus county trust land
2 revenue distributed to local schools as a local taxing district.

3
4 Superintendent Reykdal asked about any rapid solutions available to counties outside of
5 reconveyance to protect local forests. Mr. Emmons explained that reconveyance of county trust
6 lands is likely the most immediate tool. Reconveyance can be complex and takes some time.
7 However, a county expressing the desire for reconveyance would initiate action by DNR.
8 Whatcom County initiated a reconveyance request in 2012 for 8,000 acres within the Lake
9 Whatcom watershed. Reconveyance of county lands is the most expedient direct transfer option.

10
11 Chair Franz added that other mechanisms include the Trust Land Transfer Program, land
12 exchanges, and other mechanisms. The intent of the collaboration with counties is to identify all
13 county trust lands to share information on the portion of lands the county may have concerns
14 about or want to pursue different options. The joint discussions will cover the best ways to work
15 with the county to manage the desired outcomes while ensuring the county meets its fiduciary
16 responsibilities to junior taxing districts and intergenerational goals. The goal is to engage in
17 conversations that might result in a request for additional new tools by the agency, which will
18 likely be pursued with the Legislature.

19
20 Dr. Brown described the discussion scenario and asked whether his characterization of the
21 conversations was accurate. Chair Franz said all the meetings are open public meetings with
22 invitations to the public, junior taxing districts, and others. The conversation will begin with the
23 presentation of the county's land portfolio currently held in trust. The public conversations will
24 identify the types of forest lands, such as age classifications, site conditions, biodiversity, carbon
25 storage capabilities, and recreational features. The conversations will include opportunities for
26 engagement by the public and junior taxing districts.

27
28 Superintendent Reykdal noted that counties have broad statutory authority on zoning with the
29 ability to make decisions about land use. Reconveyance is one process; however, originally the
30 lands were county lands with the county rendering determinations for many reasons, such as
31 deeding the lands to the state for management. He asked about the possibility of the county
32 rendering a decision on use for an entire block of forest land, such as an older forest policy that
33 protects forests with specific diameter of trees and complexity. Chair Franz responded that
34 although counties have zoning powers, counties typically establish policies on the management
35 and protection of lands. Typically, counties do not delve into forest practices, which were
36 deferred to the Forest Practices Board for both public and private lands. The outreach is
37 intended to engage in conversations with the counties as to the county's desire for its trust lands
38 as part of the CAMO project.

39
40 Commissioner Janicki spoke on behalf of the counties. The SHC is important because it
41 provides for specific harvest levels to enable counties to plan for 10 years. The school districts
42 are also aware if harvesting is occurring they can identify the amount of revenue the district will
43 be receiving. After the last SHC was adopted, harvesting dropped dramatically in Skagit County
44 affecting school districts dramatically and impacting programs. The conversations with the
45 counties would be beneficial with invitations to junior taxing districts to participate to assist them
46 in understanding for planning purposes. She anticipates the conversations will be robust.
47 WSAC is also hosting a timber counties caucus on September 20, 2023.

1 Chair Franz said another aspect of the effort is the Department's improvement for projections
2 and reporting to provide beneficiaries and taxing districts with better information on projected
3 sales and revenues in the next several years to assist beneficiaries in planning. DNR is
4 improving the reporting to ensure beneficiaries receive updated information.
5

6 In response to a question surrounding the planned engagement with the second set of counties,
7 Chair Franz said staff contacted WSAC, which outreached to all counties to solicit interest in
8 engaging in conversations with DNR. The list was developed based on the responses received
9 by WSAC. The first five counties are currently engaged in conversations with the Department,
10 which serve as the first group of focus. The second set of counties include Chelan, Clark,
11 Okanogan, Pierce, Skagit, Snohomish, and Skamania Counties. Other counties may have since
12 joined based on interest.
13

14 Mr. Cahill agreed on the importance of conversations to ensure counties and other beneficiaries
15 understand the process. As mentioned previously, DNR received an allocation of \$70 million to
16 purchase replacement land. He believes that tool should be covered during the conversations
17 because of the timeframes, relationships, and the possibility of counties involved in identifying a
18 list of parcels for consideration by the Board in the fall.
19

20 Mr. Emmons explained that because of timing associated with the \$70 million, the Board and the
21 Legislature will receive a list of proposed areas for purchase by December 2023. Meetings have
22 been scheduled with most of the counties that have expressed interest, such as Snohomish, King,
23 Whatcom, Jefferson, and Thurston Counties. Some counties have already sent letters to DNR.
24 Those conversations are planned over the next several weeks to discuss the specifics of how the
25 \$70 million will be utilized in terms of type of forest land available within the counties.
26

27 Discussion ensued focusing on efforts by staff to speak to the opportunity during the WSAC
28 September timber caucus meeting to provide all counties with an opportunity to pursue
29 conversations with DNR.
30

31 Chair Franz advised that the Board will be updated on the conversations as meetings occur. In
32 terms of potential legislation, staff will provide a suite of ideas generated from the meetings for
33 input from the Board.
34

35 **AQUATIC RENTAL DISPUTE – Action**

36 **Adrienne Smith, Assistant Attorney General**

37 Ms. Smith briefed members on an aquatic rental dispute. Under RCW 79.105.320, the Board has
38 oversight of state-owned aquatic lands. Boyer Towing Incorporated submitted a petition to the
39 Board to review its aquatic land rental.
40

41 Under the Aquatics Program, DNR establishes rent for lessees for state-owned aquatic lands.
42 Under a DNR rule, lessees have three levels of review by the Department. The first level is with
43 the Rental Dispute Officer, the Division Manager of the Aquatics Resources Division. The
44 second level of review is with the Rental Dispute Appeals Officer, Todd Welker, Deputy
45 Supervisor, Uplands. The third level is to the Board of Natural Resources. The Board may
46 accept or decline a review of the petition. If the Board accepts review, the Board's decision is
47 the final decision of the Department. If the lessee is aggrieved by the decision, the lessee may

1 appeal to Superior Court. If the Board declines review, the decision of the Rental Dispute
2 Appeals Officer is the final decision of the Department, which can also be appealed to Superior
3 Court by the lessee. In any event, should the Board accept or decline the review of the petition,
4 the lessee has the ability to appeal the rent determination to Superior Court. Should the Board
5 accept the review, the next step is for the parties to submit written statements regarding the
6 Rental Dispute Appeals Officer's decision. The Board could also request oral statements from
7 both parties. The Board has 90 days to render a decision from the filing of the written
8 statements.

9
10 MOTION: Superintendent Reykdal moved to decline review of the decision by the Rental
11 Dispute Appeals Officer Todd Welker.

12
13 MOTION: Dr. Brown seconded the motion.

14
15 ACTION: The motion was approved unanimously.

16
17 **HARBOR Line COMMISSION – *Informational***
18 **Vancouver Harbor Area – Harbor Line Relocation Briefing**
19 **Hugo Flores, Aquatic Resources Division**

20 Mr. Flores briefed members on a request from JT Marine Harbor for relocation of a harbor line.

21
22 Under RCW 79.115.010, the Board serves as the Harbor Line Commission. The Commission is
23 responsible for locating and establishing harbor lines in the navigable waters of all harbors,
24 estuaries, bays and inlets of the state, within or in front of the corporate limits of any city or
25 within one mile on either side. The state shall never give, sell, or lease to private corporations,
26 associations or individuals any rights beyond harbor lines. Those areas shall be forever reserved
27 for landings, wharves, streets, and other conveniences of navigation and commerce. Enabling
28 legislation under RCW 79.115.030 enables the Harbor Line Commission to change, relocate, or
29 reestablish harbor lines.

30
31 Mr. Flores cited WAC 332-30-109, which provides guidance to DNR to manage harbor areas
32 and WAC 332-30-115 that establishes specific use classes including water-dependent commerce,
33 water-oriented commerce, interim uses, and public access.

34
35 Guidance and criteria for harbor line relocations under WAC 332-30-116 require maintaining or
36 enhancement of the type and amount of harbor area needed for long-term water-dependent
37 commerce, maintaining adequate space for navigation beyond the outer harbor line, agreement
38 with plans and development of public ports, counties, cities, and other local, state, tribal and
39 federal agencies, and maintaining public access to the waterfront.

40
41 Mr. Flores displayed a graphic depicting a harbor area comprised of an outer harbor line and an
42 inner harbor line. A map of the location of the segment of the Vancouver Harbor was shared.
43 The harbor area was established in 1892. From 1892 to 2023, the harbor has changed to some
44 extent. JT Marine Harbor is requesting a change in the harbor line to relocate the outer harbor
45 line 50 feet outward. The change would provide additional space for the company for barges and
46 equipment currently moored beyond the harbor outer line, which does not comply with Article
47 15 of the Washington Constitution.

1 Mr. Flores shared a map of the proposal by staff to move the outer harbor line to enable JT
2 Marine activities to occur within the harbor area to comply with Article 15 of the Constitution.
3 Staff conducted a public hearing on August 25, 2023, in Vancouver, Washington. Attendees to
4 the hearing did not offer any comments on the proposal. The next step is completion of the
5 SEPA review for the project on September 6, 2023. At the Board's next meeting, members will
6 be asked to consider the proposal and review any SEPA comments.

7
8 Superintendent Reykdal asked whether extending the harbor 50 feet would have any effect on the
9 river dimensions either upstream or downstream. Mr. Flores advised that the proposal would add
10 approximately 3.4 acres of additional harbor area. Superintendent Reykdal asked about any
11 potential implications to property owners within the affected area. Mr. Flores advised that there
12 would be no impacts as the area is zoned for industrial uses. All landowners within the harbor
13 were notified of the proposal. No issues were raised by other landowners.

14
15 Dr. Brown cited some conflict as the map reflects the location of the marine operators as moving
16 outwards while other locations reflect the boundary line as moving inward. Mr. Flores explained
17 that one of the requirements for a line adjustment is to ensure a smooth transition of the change.
18 Dr. Brown noted there would be a net addition of harbor acres on the site. Mr. Flores agreed the
19 site operated by the company would increase in size.

20
21 **LAND TRANSACTIONS – Action**

22 **Buncombe Donation, 08-105494, Resolution 1606**

23 **Bob Winslow, Transaction Project Manager, Acquisition and Divestitures Program**

24 Mr. Winslow reported the Buncombe Hollow 14 donation property is located in Clark County
25 approximately 16 miles east of Woodland. This property is approximately 14 acres in size. The
26 property contains both merchantable timber and riparian-forested habitat. The property is an
27 edge holding parcel adjacent to DNR managed Common School Trust land on the east. The
28 proposal provides future timber revenue and support of healthy stream riparian habitat for
29 salmonids and other wildlife. Some impacts could exist to dispersed public recreation such as
30 hiking or wildlife viewing.

31
32 Title of the property was reviewed by DNR and the AG's office and found satisfactory.
33 Donation of the property would benefit the Common School Trust. Property donation can be
34 accepted under the authority of RCW 79.10.020. DNR pays the transaction closing costs of
35 approximately \$1,000.

36
37 Mr. Winslow requested adoption of Resolution 1606, approving the Buncombe Donation.

38
39 MOTION: Superintendent Reykdal moved to approve Buncombe Donation, 08-105494,
40 Resolution 1606 as presented.

41
42 MOTION: Commissioner Janicki seconded the motion.

43
44 ACTION: The motion was approved unanimously.
45
46
47

1 **Cape Horn 40 Purchase, 08-105578, Resolution 1607 – Action**

2 Mr. Winslow reported the Cape Horn 40 property is located in Cowlitz County approximately 20
3 miles east of Woodland. The property is 40.61 acres in size and is forest site class 2 soil. This
4 property is an in-holding parcel within the Davis Peak landscape managed by DNR. DNR is
5 purchasing the property using Real Property Replacement Funds obtained from a previous Trust
6 Land Transfer project. The trust beneficiary for the acquisition is Common School Trust.

7
8 Trees on the property vary in age with trees located west of Cape Horn creek of merchantable
9 second growth conifers. Trees located west of the creek consist of 23-33 mixed conifer and
10 hardwood species. Older trees are located in the riparian and leave tree areas. Acquiring the
11 property is anticipated to provide benefits through increasing the acreage of state forest
12 timberlands anticipated to provide future timber revenue. The purchase removes a private in-
13 holding parcel within the edge of the state forest landscape, reduces road costs through state
14 ownership and control of the road system, and enhances opportunities for dispersed low-impact
15 public recreation.

16
17 The acquisition price of the forest asset is \$230,000 or \$5,664 per acre.

18
19 Commissioner Janicki conveyed support for the proposal and asked about the ownership of the
20 property. Mr. Winslow reported the owner is a timber manufacturing firm.

21
22 MOTION: Dr. Brown moved to approve Cape Horn 40 Purchase, 08-105578, Resolution
23 1607 as presented.

24
25 MOTION: Superintendent Reykdal seconded the motion.

26
27 ACTION: The motion was approved unanimously.

28
29 **Pluvius Acquisition 08-105530, Resolution 1608 - Action**

30 Mr. Winslow presented the proposal involving the Pluvius property located in Pacific County
31 approximately 22 miles southeast of Raymond. The property is 128 acres in size and is high
32 forest site class 2 soil. The property is an in-holding parcel within the P&E Landscape. DNR
33 proposes purchasing the property using Legislative funding designed in part to replace some of
34 the state forest trust properties that have had timber harvest restrictions in the past because of
35 threatened and endangered animal species.

36
37 The age class of trees on the property is 35-45 years, except for some older trees in the riparian
38 and leave tree areas. Acquiring the property is anticipated to provide benefits by increasing
39 acreage of state forest timberlands to provide future timber revenue. The proposal removes a
40 private in-holding parcel within the edge of the state forest landscape, reduces road costs through
41 state ownership and control of the road system, and enhances opportunities for dispersed low-
42 impact public recreation.

43
44 The acquisition price of the forest asset is \$600,000 or \$4,688 per acre. DNR contacted
45 Washington State Association of Counties (WSAC) and Pacific County. Both entities support
46 the proposal to add state trust forest land with Pacific County as the designated trust beneficiary.

1 Mr. Winslow invited questions regarding the proposed purchase.

2
3 Mr. Cahill asked whether future harvesting would consider the proximity of the existing trail in
4 the design of the timber sale to avoid a clearcut near the trail. Mr. Winslow said any timber sale
5 includes collaboration with the county. Timber harvesting could occur near the trail with leave
6 trees. Harvesting enables opening of view sheds for trail users and helps to dry the trail for
7 users. Additionally, a riparian area is located at the base of the property.

8
9 Commissioner Janicki asked whether the valuation of the land accounts for the potential value of
10 timber present on the site. Mr. Winslow said the age of the trees will add volume each year.
11 DNR will harvest the property in approximately 10 years after more timber has been produced.
12 Pricing was modeled on a timber forecast of 10 years. Timber pricing is difficult to predict in
13 the future.

14
15 MOTION: Commissioner Janicki moved to approve Resolution 1608; Pluvius Purchase, 08-
16 105530 as presented.

17
18 MOTION: Mr. Cahill seconded the motion.

19
20 ACTION: The motion was approved unanimously.

21
22 **Reade 80 Acquisition 08-105532, Resolution 1609 – Action**

23 Mr. Winslow reported the Reade 80 property is located in Clallam County approximately one
24 mile south of the City of Forks. This property is 81.76 acres in size and is forest site class 3 soil.
25 The private in-holding parcel is located within the Reade Hill landscape managed by DNR.
26 DNR proposes purchase of the property using Legislative funding to replace some state forest
27 trust properties previously harvested but currently restricted because of threatened and
28 endangered animal species.

29
30 Trees on the property are approximately 17 years in age, except for older trees in the riparian and
31 leave tree areas. Acquiring the property is anticipated to provide benefits by increasing the
32 acreage of state forest timberlands to provide future timber revenue. The purchase removes a
33 private in-holding parcel within the edge of the state forest landscape, reduces road costs through
34 state ownership and control of the road system, and enhances opportunities for dispersed low-
35 impact public recreation.

36
37 The acquisition price of the forest asset is \$250,000 or \$3,058 per acre. DNR contacted
38 Washington State Association of Counties (WSAC) and Clallam County. Both entities support
39 the proposal with Clallam County as the designated trust beneficiary.

40
41 Mr. Winslow reported one of the property owners with minor ownership in the property is a
42 former DNR employee who recently retired. DNR worked directly with a different family
43 member as the family lead for six different families on the transaction. DNR transaction staff
44 retained sensitive transaction data from the former employee and Olympic Region staff to avoid
45 any potential conflicts of interest.

46
47 Mr. Winslow invited questions. The Board offered no comments.

1 MOTION: Commissioner Janicki moved to approve Resolution 1609; Reade 80 Purchase,
2 08-108532 as presented.

3
4 MOTION: Dr. Brown seconded the motion.

5
6 ACTION: The motion was approved unanimously.

7
8 **Tapteal Direct Transfer 02-100676, Resolution 1610 – Action**
9 **Tanner Williams, Acquisitions and Divestitures Program**

10 Mr. Williams reported the Tapteal property is located approximately three miles west of the City
11 of West Richland. The property is 10 acres in size and is a non-irrigated portion of section 36.
12 DNR did not have the ability to provide water to the site. Timing of the purchase is important to
13 capture revenue potential. An irrigated Ag tenant has removed the 10 acres from its lease to
14 facilitate the proposed transaction.

15
16 Conveyance of Tapteal enables the current Ag lease on section 36 to continue and would not
17 limit DNR's ability to develop the greater section in the future. The Tapteal property is in a
18 growing area and is currently on the urban transition list. The Richland School District
19 approached DNR to purchase the common school trust property. The school district provided
20 payment for the survey and BLA costs associated with realigning DNR parcels. The site would
21 be used for elementary school purposes.

22
23 The appraised value is \$961,000 for 10 acres or \$96,100 per acre. The transaction consists of a
24 direct transfer to the Richland School District facilitating the repositioning of a trust asset to
25 lands better suited for long-term revenue production. Proceeds would be placed into the real
26 property replacement account and used to purchase replacement land better suited for revenue
27 production for the common school trust.

28
29 Mr. Williams invited questions on the proposed transaction. The Board offered no comments.
30 Mr. Williams requested approval of the proposed resolution.

31
32 MOTION: Dr. Brown moved to approve Resolution 1610; Tapteal Direct Transfer, 02-
33 100676 as presented.

34
35 MOTION: Superintendent Reykdal seconded the motion.

36
37 ACTION: The motion was approved unanimously.

38
39 **TIMBER SALES - Action**
40 **Auction Results for July and August 2023, FY 2024 Update, & Proposed Timber Sales for**
41 **October 2023**

42 **Padraic Callahan, Acting Division Manager, Product Sales and Leasing Division**
43 Mr. Callahan presented the results of July and August timber sales. Seven sales were offered in
44 July totaling 16.9 mmbf for \$2.4 million or \$140 per mbf. Six of the sales sold with the
45 exception of one sale to be reconfigured and offered at a later date. Sales sold in July totaled
46 12.3 mmbf for \$3.3 million or \$269 per mbf. The auction generated an average of 2.8 bids per
47 sale.

1 Mr. Callahan invited questions. The Board offered no comments.

2
3 Mr. Callahan reported in August, eight timber sales were offered totaling 28 mmbf for a value of
4 \$6.8 million or \$243 per mbf. Eight sales were sold for 28 mmbf with a value of \$11.6 million
5 for an average of \$414 per mbf. Average bids totaled 3.2 per sale.

6
7 Mr. Callahan reviewed the status of Fiscal Year 24 planned timber volume of the current plan for
8 auction volume, forecasted volume for the remainder of the year, and sold volume. He invited
9 questions from the Board.

10
11 Dr. Brown asked whether planned sales under the current plan for subsequent quarters reflect
12 reoffered sales from the first quarter. Mr. Callahan said he does not believe the figures reflect
13 reoffered sales from the previous quarter. Only one sale in the northeast will be reoffered and it
14 is likely not reflected in the update.

15
16 Mr. Callahan presented proposed timber sales for October 2023 totaling 16 sales for 60.7 mmbf
17 at a value estimated at \$15.7 million or \$258 per mbf. Of the 15 sales located in Western
18 Washington, approximately 35% of the total acreage was set-aside for conservation areas of
19 riparian and wetland management zones or unstable slopes, cultural resources, and other
20 sensitive areas. The remaining acres total 1,726 or 65% of the gross area for harvest.

21
22 Mr. Callahan invited questions on the proposed sales.

23
24 Superintendent Reykdal asked whether the Elwha sale referenced during public testimony was
25 included in the sales packet. Mr. Williams advised that the Power Plant timber sale and TCB 32
26 timber sale were previously auctioned and sold.

27
28 Superintendent Reykdal questioned the reason letters were sent to the Board from legislators
29 inquiring about sales that have been approved and sold. Mr. Emmons responded that the Power
30 Plant timber sale was previously approved by the Board several months ago. The sale was
31 referred to as "shelter wood" with 25-year-old understory containing trees from a harvest in the
32 1990s. The sale was challenged by an environmental group in Superior Court, which is ongoing.
33 The group originally moved for an injunction to halt the timber sale auction. However, the group
34 was not successful as the judge indicated there was a low likelihood of the group prevailing on
35 the injunction. The judge did not grant the injunction and the timber sale was subsequently sold.
36 Advocacy continues on the timber sale through the courts and in the court of public opinion. A
37 tour of the site was conducted with a group with several legislators. Several region staff
38 members participated in the tour to answer questions from legislators. Although the sale was
39 auctioned and sold, DNR and the Board continue to receive requests to halt the sale. Only 68
40 acres of the timber unit drain into the Elwha watershed representing only .003% of the
41 watershed. DNR is confident management of the property will not impact the watershed. Staff
42 plans to contact the legislators because they may not be aware of the completion of the sale.
43 Clallam County Commissioners also received a briefing on the sale prior to the sale and
44 following the auction and sale. The Commission had no concerns with the sale moving forward.

45
46 Mr. Callahan recommended approval of the proposed sales as presented.

1 MOTION: Commissioner Janicki moved to approve the proposed sales for October 2023 as
2 presented by staff.

3

4 MOTION: Dr. Brown seconded the motion.

5

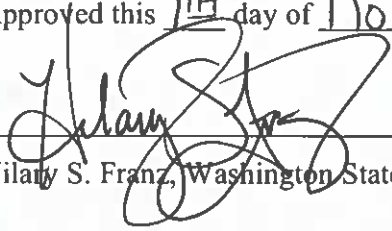
6 ACTION: The motion was approved unanimously.

7

8 **ADJOURNMENT**

9 With there being no further business, Chair Franz adjourned the meeting at 12:00 p.m.

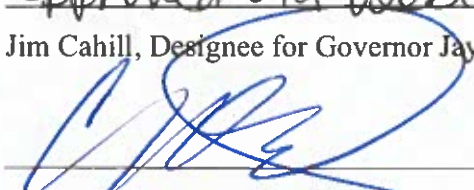
Approved this 7th day of November, 2023



Hilary S. Franz, Washington State Commissioner of Public Lands

approved via webinar

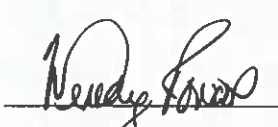
Jim Cahill, Designee for Governor Jay Inslee



Chris Reykdal, Superintendent of Public Instruction



Lisa Janicki, Commissioner, Skagit County

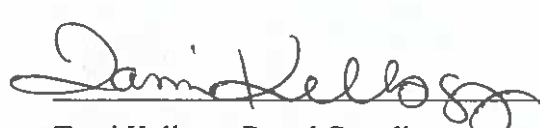


Wendy Powers, Dean, College of Agricultural, Human, and Natural Resource Sciences,
Washington State University

approved via webinar

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

Attest:



Tami Kellogg, Board Coordinator

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net