



**DEPARTMENT OF
NATURAL RESOURCES**

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July 15, 2024

Notice of Final Determination

SEPA File No. 24.060401

FPA No.2618344

Agreement No. 30-104809

Timber Sale: Ellens Rock

The Department of Natural Resources issued Determination of Non-significance (DNS), Mitigated Determination of Non-significance (MDNS), Modified DNS/MDNS on **June 4, 2024** for this proposal under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This threshold determination is hereby:

Retained.

Modified. Modifications to this threshold determination include the following:

Withdrawn. This threshold determination has been withdrawn due to the following:

Delayed. A final threshold determination has been delayed due to the following:

Summary of Comments and Responses (if applicable):

A comment was received from the Center for Sustainable Economy.

Responsible Official: William Wells

Position/title: Olympic Region Manager

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Phone: (360) 374-2800

Date: 07/15/2024

Signature: William Wells

There is no DNR administrative SEPA appeal.

Thank you for your comments. While we are aware of the Superior Court ruling referenced, this ruling was issued before the climate impacts were included in SEPA checklists for timber sales. The Department believes that its analyses of the impacts of the timber sales program on global climate change, GHG emissions, the role of the Ellen's Rock sale area on mitigating for climate change, and analyses of alternatives have been adequately addressed in the final environmental impact statement (FEIS) for the 2015-2024 Sustainable Harvest Calculation and the FEIS for the 2019 HCP Long-Term Conservation Strategy for the Marbled Murrelet. This is because these analyses considered these impacts with the area including the Ellen's Rock timber sale as included in being available for the full management suite of harvest activities, including variable retention harvest. Sustainable forestry remains consistent with the legislature's express policies for limiting greenhouse gas emissions in Washington. RCW 70A.45.005 and .090.

This sale, Ellen's Rock, was also included in the western Washington analyses for the development of the FEIS for the 2015-2024 Sustainable Harvest Calculation and the FEIS for the 2019 HCP Long-Term Conservation Strategy for the Marbled Murrelet, and, therefore, has already been included in the aforementioned analyses.

As for alternatives to the proposal, please understand that the purpose of the proposal is to generate revenue for the institutional beneficiaries of the lands at issue in this sale. Making the trusts productive is one of DNR's responsibilities as a trust manager, and DNR's statutes include directives to harvest timber in accordance with its sustainable harvest level. RCW 79.10.340. This timber sale implements in part this statutory directive, and alternatives such as thinning or partial cutting, or not cutting at all what is currently proposed for harvest inherently produce less revenue than DNR's current proposal. The Department has proposed and implemented substantial mitigation measures as part of its development of this site, including providing protections to riparian and wetland areas that far exceed Forest Practices minimums, as well as green retention trees within the extent of the harvest boundaries which together with the riparian and wetland protections amount to 146 acres. Mitigating measures are properly considered as alternatives in SEPA, and properly considered as part of the threshold determination process. WAC 197-11-792(2)(b); -786; 330(1)(c); and 197-11-350(1).

Finally, this land has been in forest production for over one hundred years. After the timber sale is completed, the site will be planted and naturally forested, and will remain available to the spectrum of multiple uses identified in RCW 79.10.120. The timber on this site is a renewable resource, consistent with DNR's sustainable forest management under RCW 79.10.300-.340. Thus, the other uses of the site in RCW 79.10.120 will not be precluded in the future, except for the relatively short period of time where timber harvest operations occur. Additionally, there are no other, competing proposals for use of the timber sale site. DNR therefore believes that the sale does not present unresolved conflicts concerning alternative uses of available resources per RCW 43.21C.030(2)(e).