



**DEPARTMENT OF  
NATURAL RESOURCES**

**PACIFIC CASCADE REGION**

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6/26/2024

**Notice of Final Determination**

Weatherman Timber Sale, App. No. 30-105537

SEPA File No. 24-060405

FP No. 2942412

The Department of Natural Resources issued a  Determination of Non-significance (DNS),  Mitigated Determination of Non-significance (MDNS),  Modified DNS/MDNS on 6/4/2024 for this proposal under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This determination is hereby:

Retained.

Modified. Modifications to this proposal include the following:

Withdrawn. This proposal has been withdrawn due to the following:

Delayed. A Final Determination has been delayed due to the following:

Responsible Official: Scott Sargent

Position/title: Pacific Cascade Region Manager Phone: (360) 577-2025

Address: P.O. Box 280 Castle Rock, WA 98611

Date: 6/26/2024

Signature: Scott Sargent 

Summary of Comments and Responses (if applicable):

Specific Comment Summary:

Center for Sustainable Economy & Legacy Forest Defense Coalition – Comments on the King County Superior Court’s decision regarding the Wishbone timber sale, Departments analyses of the impacts of 5/21/2024 the timber sales program on global climate change, Greenhouse Gas (GHG) emissions, the role of the WEATHERMAN sale area on mitigating for climate change, and analyses of alternatives.

Response:

Thank you for your comments. While we are aware of the King County Superior Court's decision regarding the Wishbone timber sale, we will be pursuing an appeal of it. The Department believes that its analyses of the impacts of the timber sales program on global climate change, Greenhouse Gas (GHG) emissions, the role of the Weatherman 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 Weatherman 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, Weatherman, 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 33.9 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).

Legacy Forest Defense Coalition - Concerns with stand age, wildlife habitat and older forest thresholds.

Response:

Thank you for providing comments in your June 11, 2024 letter regarding the Weatherman timber sale, SEPA File No. 24-060405. This letter is in response to your comments and provides information outlining

how this proposal is consistent with all the applicable laws, rules, policies and procedures, including the Habitat Conservation Plan (HCP) and Policy for Sustainable Forests (PSF).

The Weatherman TBS is located within Lower Chehalis State Forest in Grays Harbor County. These lands are designated for General Ecological Management (GEM) for which there are no species specific management requirements, and timber within this designation is available for harvest.

The Department of Natural Resources has a multi-species Habitat Conservation Plan (HCP) with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service concerning threatened and endangered species and their habitats, which requires the Department to manage landscapes to provide and sustain long-term habitat in exchange for an Incidental Take Permit. This agreement substantially helps the Department to mitigate for cumulative effects related to management activities. The Department follows Forest Practices Rules as applicable to roads and potentially unstable slopes. The Department follows Forest Protections related to fire hazard mitigation.

The General Silviculture Strategy (policy) in the Policy for Sustainable Forests emphasized that older forest targets will be accomplished over time and that DNR intends to actively manage structurally complex forests to achieve older-forest structures (i.e. stands with older forests identified by structural characteristics) across 10 to 15 percent of each western Washington HCP planning unit in 70 to 100 years.

In May 2024, the DNR produced a document titled 'Landscape Assessment to Identify and Manage Structurally Complex Stands to Meet Older-Forest Targets in Western Washington'. This document describes the background, historical analyses regarding attainment of older forest conditions in western Washington, and updated data and modeling analyses showing when the various HCP planning units across western Washington are expected to attain a level of older forest conditions through implementation of the HCP and other conservation objectives, and outlined as targets within the PSF.

This landscape assessment identifies the existing structurally complex stands, and additional stands suitable to be managed for older forest targets over time. The identified stands are located in conservation areas and deferred stands unavailable for regeneration harvest. These stands include areas identified as long-term forest cover under the marbled murrelet long-term conservation strategy, riparian areas, areas conserved under the multispecies conservation strategy, potentially unstable slopes, spotted owl nest patches, old growth, Natural Areas and Natural Resource Conservation Areas, and other conservation areas deferred from regeneration harvest.

The results from the May 2024 landscape assessment, and included in the above-referenced memorandum, show that while the SOUTH COAST HCP Planning Unit does not currently contain 10 to 15 percent older forest conditions, it demonstrates that through implementation of the HCP and other Policies and laws, stands containing structurally complex forests or managed for older forest targets in conservation areas is projected to exceed 10 percent in the SOUTH COAST HCP Planning Unit by 2100 (Table 1). Stands currently identified to meet older forest targets and stands projected to meet older

forest targets are depicted in associated maps within the assessment document for each western Washington HCP planning unit.

Additionally, DNR has designated forest stand acreage in each HCP planning unit to meet or exceed the policy's 10% older forest target.

The WEATHERMAN Timber Sale is not identified as one of those stands designated to meet older-forest targets over time. In the WEATHERMAN Timber Sale 98.4 net acres are being harvested, while 33.9 acres are being conserved from the overall area considered for harvest (26% of the proposal area) for potential unstable slopes, riparian and wetland management zones plus leave tree areas that will contribute to older forests over time. Following the timber sale, the variable retention harvest units will be replanted with native, conifer tree species that will be supplemented by natural regeneration expected to occur as a result of the conservation areas in and around the harvested units.

Your letter does not raise new concerns, or substantive concerns specific to the Weatherman Timber Sale that have not been previously raise in your prior comment letters and responded to by DNR. In its responses to your prior correspondences, DNR explained its policy to protect old growth, its procedure to identify and manage structurally complex forest, its obligations under the 1997 HCP, and the 2006 Policy for Sustainable Forests. As you identify in your letter, DNR staff provided information to the Board of Natural Resources in a series of Board meetings to address your concerns about the amount of structurally complex forests that is expected to be on the DNR-managed landscape at the termination of the 1997 HCP, fifty years in the future.

The Weatherman timber sale was designed to be consistent with DNR's framework (WAC 332-41-665 (1)(f)). The harvest was designed in accordance with DNR's Habitat Conservation Plan and Policy for Sustainable Forests. While your comment letter expresses disagreement with that framework, it does not identify a probable, significant, adverse environmental impact which was not analyzed in the environmental impact statements for the programmatic decisions or an inadequacy in the SEPA checklist prepared for the Weatherman timber sale. The Weatherman timber sale is located in lands available for harvest.

Center for Responsible Forestry- Concerns with stand age, wildlife habitat and older forest thresholds.

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The General Silviculture Strategy (policy) in the Policy for Sustainable Forests emphasized that older forest targets will be accomplished over time and that DNR intends to actively manage structurally complex forests to achieve older-forest structures (i.e. stands with older forests identified by structural characteristics) across 10 to 15 percent of each western Washington HCP planning unit in 70 to 100 years.

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