

**Minutes**  
**King County Rural Forest Commission**  
**January 12, 2005**  
**Preston Community Center**

*Commissioners present:* Lee Witter Kahn, Jim Franzel, Alex Kamola, Doug McClelland, Doug Schindler, Julie Stangell, Ole Una

*Commissioners absent:* Jean Bouffard, Dennis Dart, Gordon Bradley, Leonard Guss, Matt Mattson

*Exofficio member present:* Randy Sandin

*Staff:* Kathy Creahan, Kristi McClelland, Linda Vane, Benj Wadsworth

*Guests:* Ron Baum, small forest landowner in Hollywood Hills and member of Sammamish Grange and Woodinville Heritage Society; Steve Ketz, Weyerhaeuser Company and Daryl Grigsby, King County Water and Land Resources Division

Doug McClelland called the meeting to order at 9:35 a.m.

### **Minutes Approval**

Motion 1-0105 “To accept the slate as stated.” The nominated slate of officers was approved. Motion 2-0105 “To adopt the December 2004 minutes with the following corrections: change the wording on line 9 of page 4 to “According to Roel, it is undisputed that climate change is occurring, but it is not clear what the effect on the earth will be” and to “correct the spelling of Franzel.” The minutes were approved.

### **Chair Report**

Doug McClelland reported that his term on the Rural Forest Commission (RFC) representing Washington Department of Natural Resources (DNR) is coming to an end. DNR has identified a staff person, Julie Sackett, to replace Doug on the RFC, but as she is deeply engaged in Ag-Forestry at present DNR will ask that Doug be allowed to serve one more term.

### **Staff Reports**

Linda Vane

*Washington State University Extension.* In an update provided by Amy Grotta, WSU reports that the forest stewardship training is coming up and twenty-nine people, representing 34 parcels, have registered so far. Four of the twenty-nine signed up to be Forest Advisors and will assist landowners on Forest Management Plans. Tree planting and chainsaw safety classes are planned for the near future. If you would like a copy of the flier, email Linda Vane ([linda.vane@metrokc.gov](mailto:linda.vane@metrokc.gov)).

*King County Carbon Study.* Roel Hammerschlag, founder and Executive Director of the Institute for Life Cycle and Environmental Assessment, presented at the last meeting regarding the County's greenhouse gas emissions inventory, part of which involves an assessment of the carbon storage potential of King County-owned forests. A copy of the final report is available in a \*.PDF file. Linda Vane will email it to anyone who would like a copy. The one-page carbon storage potential estimate for King County-owned forests was distributed. Kathy Creahan added that King County has an employee who is analyzing greenhouse gas emissions and has hired a consultant to study the County's purchase of development rights on the Hancock Tree Farm property and the overall potential for sequestration and carbon credits in the county. The RFC may request reports on these studies for future RFC meetings if they are interested.

Kathy Creahan

*Development of Wildfire Reduction Practices.* The new Critical Areas Ordinance includes a provision for developing best management practices (BMPs) for reducing fire hazard in the rural interface area. The King County Fire Marshall is working with fire departments throughout the county and will meet with the RFC to solicit input on the BMPs. His focus is on practices in the immediate physical space area around a home that will reduce wildfire risk.

*Rural Economic Development Study.* The Office of the King County Executive has hired someone to undertake a year-long rural economic development study. This person will meet with the commission to tell them about the project and to get input. The purpose of the project is to find new ways to encourage economic development that is consistent with rural lifestyles and residential uses in the rural area.

*Joel Kuperberg.* Joel Kuperberg passed away just before Christmas. He was the inspiration behind the Forest Stewards on Vashon Island and for the last 4-5 years has been a strong proponent of sustainable forestry. Joel changed many people's thinking about the ecological values of forestry. Alex Kamola asked about the Vashon mill. Kathy explained that they have a mill, did a thinning and are milling the wood. Their big problem is that they do not have a kiln and will have to send the wood off island to dry it. Alex requested a report on the Vashon project at a future RFC meeting. Alex also asked about a block of state land that King County acquired recently: will the Vashon Stewards be involved in its management? Kathy Creahan said they are involved in the discussions about how it will be managed and that Benj Wadsworth's new job is to help manage that land. Doug McClelland commented that Vashon is ahead any other community in the county in forestry and stewardship. Alex added that the stewards could serve as a model for other communities.

### **Report on Conserving Washington's Working Forests Forum, Nov. 22-23, 2004**

Benj Wadsworth, Natural Resource Lands Planner, King County DNRP

The two-day conference was held at the Alderbrook Inn in Union, Washington and was sponsored by the College of Forest Resources at the University of Washington and the Northwest Environmental Forum. [Conference notes will be distributed to the RFC with meeting minutes.]

A follow up workshop will take place this spring and a list serve and web site [[www.nwenvironmentalforum.org](http://www.nwenvironmentalforum.org).] have been set up to encourage discussion. People who want to get involved should contact Brian Boyle, who convened the conference [206-616-8640 or [bboyle@u.washington.edu](mailto:bboyle@u.washington.edu)].

The main points made at the conference were as follows:

- *What is “economic sustainability” as it relates to forestry?* This seemed to mean different things to different groups; whether industrial foresters, family foresters or public agencies. For private landowners it means that investment in forestry needs to equal or exceed investment in other mechanisms such as stock market, bonds or real estate. The question then is what can be done to enable that kind of return on investment in forestry.
- *Niche markets and large timber.* Some argued that there is simply not enough demand for large lumber. For example, glue-ins are superior to 4 x 8-foot beams; they are straighter and stronger. On the other hand, large timbers last longer and aesthetic considerations may help create a niche market for the large wood.
- *Financial incentives.* If aesthetics alone are not enough to create a niche market, perhaps incentives such as tax breaks could come in to play?
- *Infrastructure.* There is a need to invest in infrastructure: not so much mills, but trained employees and new logging technology such as new machinery that can harvest in an environmentally friendly manner. The new technology is used in Europe, but not much in the United States. Timber Tech is a leader here.
- *Carbon and water benefits/credits.* This is something that the RFC might latch onto. King County is in a unique position with progressive local governments such as Seattle. King County itself is looking into such credits.
- *Creation of bioenergy with methanol.* UW students will develop demonstration projects that will bring technology on to a site to extract ethanol from small wood for bioenergy production.
- *Regulations and public acceptance of forestry.* There is a lack of public acceptance of forestry and a lack of understanding. Out of that discussion came a suggestion that we put a moratorium on new regulations. We don't know if Forest and Fish is going to work, so let's give it 20 years so we can really see the effects.
- *Proposed State Forest Commission.* A statewide forest commission is a possibility. Benj encouraged them to talk with the King County RFC to see what has worked and what has not.

King County is in a unique position in many ways; it is ahead of the curve, has a progressive government that will draft some of these things like carbon trading. Perhaps the RFC can run with some of these ideas while working with the state effort?

Doug Schindler, who was also at the conference, said that the Cascade Dialogues is looking at a similar idea for a forestry council that involves four counties: King, Pierce, Snohomish and Kittitas. They are looking 100 years out to figure out what is needed to sustain forestry.

*E.g.*, what do we need infrastructure-wise and so on? Maybe a four-county carbon credit program? It might be worth having the RFC consider this question.

Doug McClelland suggested that the commissioners look at the report and see if there are pieces that they should or could identify as action items. People are now talking about things that the RFC discussed six years ago. The RFC might be able to find a niche for themselves or King County. Kristi McClelland said there were a lot of folks from industry at the conference. She observed a consensus among community-based people and industrial forest concerns that there are no simple answers and that everyone will have to work together. There was a real push to set up a follow up meeting in two to three months.

Benj recommended that Brian Boyle be invited to the RFC meeting and perhaps Rick Dunning, Executive Director of the Washington Farm Forestry Association. Rick gave a good talk at the conference and can relate the County issues to the wider statewide issues.

Alex Kamola asked who would be advised by a state commission? Doug M. answered that they would advise Doug Sutherland and the legislature. Doug M. said there was also talk of having someone in the governor's office. There are a lot of legislators who are not educated about forestry and there needs to be some way to give them information about forestry. Benj said that State Senator Ken Jacobsen [<http://www1.leg.wa.gov/senate/Jacobsen>] was at the conference and seemed very engaged. He should be invited to meet with the RFC. Randy Sandin said that having an umbrella of statewide guidelines would help local governments preserve forest lands. For example, most of the county's Critical Areas Ordinance (CAO) was driven by the Washington State Department of Ecology regulations and changes to growth management.

Getting back to the question of moratoriums, Lee Kahn said that a lot of small landowners feel bitter about moratoriums and are working to get small forest landowners to be exempted. When the present moratoriums were put in place no one asked the small forest landowners. Small forest landowners are not going to go quietly this time.

### **King County Water and Land Resources Division (WLRD) Business Plan -**

Daryl Grigsby, WLRD Director

Daryl provided background on the plan, explaining that each of the four divisions in the Department of Natural Resources and Parks have been asked to develop a business plan. In its business plan, WLRD addresses long term revenue changes related to the annexation of rural areas by cities and a reduction in the funds received from the Wastewater Division. The plan also addresses long term objectives. This is challenging because WLRD is an amalgamation of programs and services such as storm water, flood reduction, hazardous waste, noxious weed control, and water quality monitoring among others. Each function has a different source of funding to which it much stay true.

According to the business plan there are twenty-nine things that WLRD is supposed to do in order to be better (listed on the back page of the draft plan). The plan focuses on three of these:

- Capital projects (not just constructing things, but anything to do with managing the landscape so that it has beneficial natural resource value);
- Regulations (Critical Areas Ordinance implementation); and
- Being a regional service provider, in addition to rural services.

The bottom line changes in 2005 are that WLRD reallocated resources into different lines of work, put more money into capital projects and eliminated 28 positions. Half of these were unfilled positions. County policy says 30% of surface water management (SWM) and Rural Drainage Program (RDP) revenues have to go into the capital program; it is currently about 33%. Daryl doesn't know if this can be sustained because it would mean deeper operating cuts and he is not convinced that is what WLRD needs to do. However, there are many people on the County Council that feel that there has not been enough emphasis on capital projects, *i.e.*, "doing things on the ground."

Daryl believes there are a lot of things that make a difference "on the ground" even though they are not capital projects. The RFC can help the King County Council understand the impact and value of WLRD programs from the forest perspective. It is very common for elected officials to believe that too much money is spent on planning and not enough on capital. It would be helpful to have the RFC tell the story about the benefits of the Forestry Program.

WLRD will make additional cuts in the 2006 budget in the range of \$1-2 million. In deciding what to cut we will look at programs in terms of impacts on water quality and the natural environment as much as possible. In Daryl's view, the big question in the long run is: how will King County support the Agriculture and Forestry programs if surface water management funding is reduced to \$5 million from the current level of \$14 million?

Copies of the WLRD business plan were distributed to the RFC prior to the meeting. Len Guss submitted comments in writing to Daryl via email because he was not able to attend the meeting. Initiating the discussion at the RFC meeting, Alex Kamola asked how the budget cuts would affect forestry and the Forestry Program? In other words, what were people doing before that they will no longer be doing? And, how will this affect what the RFC can do?

Kathy Creahan explained that WLRD initially proposed to eliminate one forester position and the section's assistant manager position. The County Council reinstated the forester position in the adopted budget with the net result that instead of having four people dedicated to forestry, we have three plus a Team Lead position that is split between the Agriculture and Forestry programs. Services that have been eliminated include outreach and monitoring. Staff support to the Rural Forest Commission has been reduced. Financial support to Washington State University Extension for the Forest Stewardship training is intact (even though the business plan says it is cut).

Kathy went on to explain that while both foresters are employed, neither is funded by surface water management fees. One is funded by current expense (CX) and one is funded by ANRI, which is one-year funding only. Daryl said that in 2006 he will have to make a decision about funding for these positions. Daryl said that in 2005 technical assistance and training to support rural landowners will be unchanged.

Doug McClelland raised the question of support to rural and small forest landowners. How do we ensure that the beleaguered small forest landowner is encouraged? The foundation of the RFC is incentives and programs to encourage forestry. The business plan seems large project and fish-centric, not focused on the areas that people in the rural area say they need. The County's programs to encourage forest landowners, incentives, tax breaks for land in forestry and stewardship classes have been enormously successful.

Alex asked, if King County cannot afford technical assistance to landowners, is there a volunteer pool from which they can pull? Doug Schindler said that even with volunteers, there is a baseline staffing level that one needs even to supervise the volunteers. WLRD has cut back already to the point that there are only a few forestry positions left, which may be cut. Doug McClelland said it is a question of whether WLRD invests limited dollars in that area. He said that the federal government's level of involvement with small landowners dropped off, the state does not provide the service, so the county stepped in based on the [1996] *Farm and Forest Report*. The tone of the business plan does not indicate that forestry is an area where WLRD now believes we need to invest. The RFC would like to help that tone change and would like to help ensure sustainable funding for programs that promote forestry.

Daryl responded that the RFC should challenge the County to explain "what is the plan for the continuation of the program that is managed by that forester." Daryl does not plan to recommend that WLRD put SWM money into the Forestry Program because those funds are being reduced. Daryl explained further that the CX funds that pay for one of the forester positions are "shaky" in that other divisions compete with WLRD every year for this funding. The problem of finding stable funding for the program is fundamental.

Doug Schindler said that the business plan gives him the sense that forestry is not valued. While there is great stuff in the plan, Doug S. has some concerns and would like to know if Daryl believes that forestry is still important to King County? Daryl said Forestry is important and that it is legitimate for the RFC to say to King County, "If forestry is important to water quality, where is your commitment?"

Daryl said that in the 2006 budgeting process WLRD will look at everything that has one-time funding. This includes four staff positions. More stable funding is the fundamental issue.

Daryl said that after the Management Team meeting in early February he will come back to the RFC and let them know what they came up with. At that point perhaps he and the RFC can

figure a way to work together for those two forester positions. Right now, we don't have a plan for those. There may even be a question about if CX funding is solid in 2005. Doug McClelland suggested that since the RFC only meets six times a year, perhaps the RFC should communicate with Daryl between meetings with email.

Ron Baum asked about Wastewater funding and Daryl explained that Wastewater funds can only be spent in the sewer service area for products the Wastewater Division needs and to improve water quality, so there is not complete flexibility in how to spend those funds. Ron said he sees a lot of money being spent to mitigate the Brightwater project in ways that relate directly to what forests do. In light of the functional connection, would this be a potential funding source?

Doug Schindler asked if there could be a written commitment to forestry to demonstrate that the RFC is working with WLRD instead of battling them. Doug McClelland added that some County Council members felt they had to fight the County Executive and the Department to get a forester and other staff positions reinstated in 2005.

Doug McClelland said that 4 or 5 years ago when the Rural Drainage Fee was instituted WLRD thought that forestry was a good investment and the RFC believed that the SWM fee was going to be the stable funding source for Agriculture and Forestry programs. Lee Kahn added that there was even talk of a cost share program back to landowners at the time. Daryl responded that the RFC should remind the corporate County of that and raise the issue. It would be hard for him, Daryl, to add staff on to the Rural Drainage Fee, but that does not mean it cannot be done.

Doug Schindler said that when he talked to several of the Council members last year about getting funding reinstated, he got the sense from Council that they thought WLRD did not want a Forestry Program. If positions were to be cut from Forestry for lack of funding, that was not clear to these Council members. Doug S. proposed that the RFC write a formal letter to Daryl or Pam Bissonnette outlining the concerns the RFC has about the business plan. Finding an alternative funding source is the battle we must take on once we have all agreed that this is an important thing to do.

Daryl's last point was that the RFC will probably have to battle every year for funding regardless of the funding source. All funding sources, whether Rural Drainage Fees or CX, have many people with a call on them. The Forestry Program has an advantage in having a commission. Budgeting is a competitive process and it will be important for the RFC to make clear how the Forestry Program matters.

Randy Sandin added as a final note that under the CAO, Forest Management Plans must be approved by DNRP. For budget purposes the County must anticipate that in the future there will be more demand for foresters to review management plans. It may not occur until the end of 2005 or in 2006, but it will develop.

### **Critical Areas Ordinance Implementation**

Randy Sandin, Department of Development and Environmental Services (DDES) Supervisor

Randy presented information on the status of the CAO implementation and asked for input from the RFC. Randy said the implementation phase will take several years. It took four years to develop the ordinance, but even with the extensive review and corrections already made, it will take time to figure out what the unintended consequences of the CAO might be. DDES is developing fact sheets informational bulletins and a users' manual. These are available on the web [<http://www.metrokc.gov/ddes/cao/>]. The users' manual is a condensed resource document that takes one through the key elements of the CAO and provides information about how to find out more about the ordinance. We have updated all of the web information. Julie Stangell had commented that the web site was hard to use, so DDES spent a lot of time in December making sure the web site was user-friendly.

In regard to the users' manual, please look at the page and let Randy know if the information is complete and if you have ideas for improvements. DDES will begin updating the document in February. Email Randy with comments at [randy.sandin@metrokc.gov](mailto:randy.sandin@metrokc.gov).

The key elements related to forestry are still very similar to what was proposed. The moratorium relief where, with forest management plan, submitted in connection with either a King County permit or a WDNR permit, you can eliminate having the moratorium applied to a piece of property that you want to develop. Part of what I provided is information about this class for general non-conversion permits. The permit is new and is a relatively simple process.

As they go along they find things in the CAO that require interpretation. The group responsible for interpretation meets twice a month. This will be going on for approximately six months. If you find things in the CAO that require interpretation, please send these things to Randy and he will run it through the panel.

One of the last things we are doing at present is developing the Rural Stewardship Rule. This should be filed by Friday, January 14. There is already a Forest Stewardship Plan public rule. Kathy added that the County would like to use the RFC meeting in March as the public meeting regarding revisions to the Forest Stewardship Plan public rule that will fix internal discrepancies.

Randy said that CAO implementation will be an ongoing process. A technical amendment may be filed later this year to correct discrepancies in thing such as definitions of terms.

DDES addressed issues that were raised by the RFC that were addressed in the final stages of writing the sections on drainage and environmental review. These changes include:

- Cost
- Changes to permitted alterations
- Permit process is simplified

Doug McClelland asked if Randy feels that DDES addressed most issues that Dennis Dart had raised regarding roads, fees and additional studies that make no sense for forestry. Randy said they had. Doug M. asked if the permit will be similar to the DNR permit; WDNR is coming out with a new one. Randy explained that the permit template has not been written yet. It will take a couple of weeks to complete. Basically, the permit will require (see handout):

- Harvest plan
- Forest Stewardship Plan
- 2 forms to fill out: landowner permission and land use application form.

Doug McClelland asked for clarification of the Rural Stewardship Plan. Randy explained that the Rural Stewardship Plan allows landowners to do more things: i.e., deviate from some of the buffers and clear more than the 35%. The Forest Management Plan allows you to use the areas that were set aside for timber, for example harvesting. Doug McClelland pointed out that if people are practicing forestry they are subject to Forest Practice rules, which are different than the CAO requirements. Randy said that DDES wants to make sure that people practice forestry and are not using plans to get around the regulations and will add some language to the CAO to ensure this.

Alex asked for clarification on the difference between Forest Plans and Rural Stewardship Plans. Kathy Creahan explained that the Forest Plan doesn't help you get a residential permit. There is a new Rural Stewardship Plan process that was developed in the CAO that will allow you to get flexibility on buffers and how much permanent clearing you can do when you are developing the property – e.g., building a house. The Forest Plan only applies to the part of the property that is in forestry. If you are subject to State regulations, the CAO has no effect on you. If you are in an area that could not harvest under state regulations, having a Forest Plan will not make any difference to you in connection with regulations or taxes. A plan would simply help you manage your property. The two major differences that a Forest Management Plan makes are: (1) that you can get a Class D Nonconversion Permit or (2) you can avoid the moratorium if you want to do some harvest on your property and you exclude the residential development site from your plan and from your harvest.

Alex said that the moratorium uses six years, which does not seem relevant; fifty years makes more sense. Randy responded that six years is the limit imposed by the state law. Kristi McClelland added that the origin is a compromise that allows people to change their minds. Randy said that you have to sign a ten-year intent document saying you do not plan to convert, but the moratorium is only in effect for six years.

Alex asked, regarding the stewardship and timber management plans as part of the permit process; do they have any bearing on the criteria of what you can do on the land? Randy said the Rural Stewardship Plan is more general and longer term. You don't have to do if you are going to harvest. A harvest permit is a detailed document.

Ole Una asked if one has a chance to change the buffers with a Rural Stewardship Plan. Kathy answered, "Yes." Does that apply to people who live in the Forest Production District (FPD)? Kathy Creahan responded that right now the Rural Stewardship Plans are not applicable in the FPD. This may be because at the writers of the CAO did not realize there are so many people living out there. This is one of the changes to the CAO that County staff will probably propose to the County Council. Ole asked to whom he should write about the need for this change. Randy said to write to Harry Reinert at DDES about changing the way the CAO is written.

Steve Ketz said that it may not benefit landowners to make the Forest Production District subject to the CAO. Kathy said that the CAO does not override Forest Practices. If you build a house in the FPD, you are subject to King County regulations. Right now, as the CAO is written the Rural Stewardship Plans are only available in the Rural Zone. The 65/35 Rule does not affect the FPD because they already have clearing restrictions. King County's intention was to encourage those who build homes in the FPD to be forest managers for their property.

Doug McClelland recommended that a subcommittee of the RFC keep the other commissioners and Kathy Creahan informed to make sure we are all speaking the same voice to the Council members. Alex Kamola, Lee Kahn and Julie Stangell agreed to participate in the committee. Dennis Dart will be invited. Julie Stangell agreed to be the lead and Kathy Creahan agreed to be the staff contact.

Randy asked that the RFC give feedback on what is on the CAO web page:

(1) Is the information correct or is anything missing? We know that we need to amend the portion regarding the moratorium, which did not include the provisions for the Forest Management Plan.

(2) As you go through the web site you will see how DDES intends to approach the permitting side of it and if you have any issues with it, send feedback right away.

Steve Ketz asked a question about zoning impacts. Randy answered that the CAO does not affect zoning. It creates a different category of critical areas, re-defines certain critical areas and sets limits on what you can clear in rural zones. It does not change zoning density. The regulation does not say you cannot remove timber. It says you cannot convert. You have to retain 65% in native vegetation [on parcels of 5 acres or larger]. On lots up to 5-acres in size, 50% must be retained in forestry. Randy said that one can get a building permit, but one can only clear 50%. On the second half you could put a Forest Management Plan in place and clear-cut, but you have to replant at least one-half of the cleared area.

Steve Ketz asked about valuation. He wants to be sure there is not a perception that the permitting process will lower the value of property. Randy said that the perception does not have to be there. He confirmed that a lot of people in the rural have heard they cannot touch

65% of their property that it is “given to King County.” Ole says he has people say they cannot cut the blackberry on his property. Kristi said it is important for commissioners to spread the word that all of these things are untrue. She knows of instances where people have used misinformation about the CAO in attempts to devalue forestland. For example, one potential buyer tried to have forest land devalued, claiming that the CAO would prevent him from harvesting the timber on a particular piece of property.

Jim Franzel asked if there will be more court challenges. Randy replied that for now these are unlikely. The courts determined that there cannot be a referendum, although appeal is possible.

### **Election of Officers for 2005**

Nominations were as follows:

Chair: Alex Kamola  
Vice Chair: Julie Stangell and Len Guss  
Executive Committee: Jim Franzel and Dennis Dart

Len Guss declined the nomination. The slate of officers was voted in by unanimous vote.

### **2005 Meeting Schedule**

The Commission will meet on the second Wednesday of every other month. On March 9, May 11, September 14 and November 9 the Commission will meet at the Preston Community Center from 9:30 a.m. to 12:30 p.m. On July 13 the RFC tentatively plans to have a field trip.

Upcoming meeting agenda items include topics such as fire marshal, rural economic study, Vashon Island Co-op update, Brian Boyles, Rick Dunning of WFFA, Jim Franzel on Forest Service issues, Katy Vanderpool-rural stewardship planner, Cascade Land Conservancy’s Cedar-Green Initiative and Cascade Dialogues.

Doug Schindler agreed to draft a letter from the RFC to Daryl Grigsby with assistance from Doug McClelland. In the letter the RFC will address: 1) request commitment to forestry from King County; 2) the need to solve the problem of stable funding; and 3) list the concrete benefits.

The meeting was adjourned at 12:35 pm.

### **Next meeting**

The next regularly scheduled meeting is March 9, 2005, from 9:30 a.m. to 12:30 p.m. in Preston.

Staff Liaison:

Linda Vane, Forestry Program

206-296-8042 or [linda.vane@metrokc.gov](mailto:linda.vane@metrokc.gov)