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Feb. 14, 2024

Notice of Final Determination
Pistol Pete SortsTimber Sale #104814
SEPA File No. 24-010901

The Department of Natural Resources issued a [ ] Determination of Non-significance (DNS), [X] Mitigated Determination of Non-significance (MDNS), [ ] Modified DNS/MDNS on **January 9, 2024**for this proposal under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This threshold determination is hereby:

[X] 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[ ] Withdrawn. This threshold determination has been withdrawn due to the following: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):
Comments were received from ECY and reviewed. Comments were also received from the Legacy Forest Defense Fund and Save the Olympic Peninsula. See response attached.

Responsible Official: William Wells

Position/title: Olympic Region Manager Phone: 360-374-2800

Address: 411 Tillicum Lane
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Date: 2-15-24 Signature: [signature]

There is no DNR administrative SEPA appeal.

Thank you for providing comments regarding the Pistol Pete Sorts timber sale, SEPA File No. 24-010901, located in the Clallam County, as well as regarding Washington DNR's timber harvest program for trust beneficiaries. This letter is in response to your comments and provides information outlining how this proposal is consistent with all applicable laws, rules, policies, and procedures, including the 1997 Habitat Conservation Plan (HCP) and 2006 Policy for Sustainable Forests (PSF).

As described in the SEPA checklist, the Pistol Pete Sorts timber sale proposal, Agreement No. 30-104814 is a variable retention harvest (VRH) composed of 10 Variable Retention Harvest units, one Variable Denstity Thinning unit and associated rights-of-way units, located in the Siebert-McDonald WAU totaling 149 net harvestable acres. The net acreage includes deduction for leave tree areas within the traversed boundaries. The proposed timber sale is to be harvested using ground-based harvest systems with applied timing and equipment restrictions to further limit impacts to the site.

Your letter submitted on the Pistol Pete Sorts proposal is nearly identical to letters submitted on other proposals, with the exception of the details at the county level. Given the similarities of your letters, you'll find our responses are similarly connected. While your letter does touch on some specifics of this proposed timber harvest, the bulk of your comments are directed toward the broader policies and plans that guide our management at the statewide level. We conduct SEPA analyses at the project level for individual planned timber harvests; we conduct environmental impact statements before adopting new policies and whenever we develop statewide plans that set standards for the use of the environment (WAC 197-11-704(2)(b)(i)). The Agency does not agree that the analysis you recommend is appropriate for including in the project level checklist. The Department will however address some of the concerns raised in your letter.

At this level of project review with a Mitigated Determination of Nonsignificance, the appropriate form used is the Department of Ecology's environmental checklist, WAC 197-11-960. At this time, the SEPA Environmental Checklist does not include analysis of climate impacts. The topic of climate impacts is an evolving issue as new science emerges and agencies work to include that new science in their work. When the Department of Ecology establishes criteria that provides meaningful analysis of climate impacts at the project level, it is expected they will make updates to WAC 197-11-960 that include climate impacts in the SEPA checklist.

Sustainable Forestry

In addition to the existing SEPA process, DNR is a leader in its development of best practices in sustainable forestry. Resource and environmental protections are applied to all DNR timber harvests following the 1997 Habitat Conservation Plan, 2006 Policy for Sustainable Forests, current Forest Practices rules, and the associated Forest Practices HCP, all of which have gone through rigorous EIS reviews. Discussed in more detail below, some of these measures include riparian and wetland buffers, leaving a minimum of eight trees per acre in variable retention harvests, limiting overall size of harvest areas, maintaining hydrologic maturity, excluding work on potentially unstable slopes, and maintaining and improving road infrastructure including replacing undersized culverts to improve fish passage and water drainage.

All DNR-managed forestlands and conservation areas in Washington State are certified under the Sustainable Forestry Initiative® (SFI) program Standard. Additionally, about 176,000 acres of those forestlands are also certified under the Forest Stewardship Council® (FSC®) US Forest Management Standard. Certified forests are grown to an approved set of standards which demonstrate environmentally responsible, socially beneficial and economically viable management practices that promote responsible forestry. This unique commitment to responsible forestry recognizes that forest landowners play a critical role in ensuring the long-term health and sustainability of our forests.

The Department agrees the pledge made at the 2021 COP 26 meeting in Glasgow was historic, and we applaud the stance taken there against deforestation. However, deforestation is not the same as sustainably harvesting trees from managed forest lands. Deforestation refers to the permanent conversion of forestlands to non-forest usage such as agriculture, grazing, and commercial or residential development. Following all even-age harvests on DNR-managed lands, native trees species are replanted at stocking levels higher than existed pre-harvest. This ensures all State-owned forests are renewed, resulting in sustained levels of forest cover into the future.

Carbon Sequestration

Like you, leadership and staff at DNR are concerned about how sustainable forest management can mitigate the effects of climate change. For instance, the DNR's Natural and Working Lands Carbon Sequestration Advisory Group is actively considering our role in carbon sequestration on managed and un-managed forest lands. Forests are the most efficient means we have for removing carbon from the atmosphere. They draw in vast amounts of carbon dioxide and store carbon as biomass. But we know this is only one way that forests contribute to climate solutions. By balancing ecological, economic, and social outcomes, we can compound the benefits forests provide. To begin with, active management of forests for timber and revenue enables us to push back against economic pressure to convert those forestlands to non-forest uses. Management for timber also helps maintain a steady supply of local logs to local mills. When we source our wood from nearby forests, we reduce the amount of fossil fuel required to bring logs from forests to mills and from mills to local retailers. We know that a substantial percentage of wood from State lands ends up as dimensional lumber, plywood, and other manufactured building materials. Forest products used in construction store more carbon—and their manufacture emits far less carbon dioxide, methane, and nitrous oxide—compared to non-wood alternatives such as concrete, steel, brick, and plastics.

When it comes to sequestering carbon in our working forests, DNR does more than most large forest landowners in Washington. For example, our rotation ages tend to exceed the industry average for forest managers in the Pacific Northwest. On lands covered by our Habitat Conservation Plan, we leave larger riparian buffers and more habitat trees than are required by law. In total, close to half of the forested trust lands we manage are deferred from harvest for ecological reasons. To quantify these carbon benefits, we worked with partners at the US Forest Service to conduct an inventory of carbon on both private and public forestlands across Washington.

Depleted Water Supplies

The DNR is aware of the recent literature concerning the impact of harvesting on peak and long-term summer stream flows in the Pacific Northwest. In small basins (area < 10km2), summer low flows may decrease following the establishment of a younger stand if that replanted cohort is not managed in a way that balances changes in runoff caused by different stand ages (Moore et al., 2020). Young stands (0 to approximately 15 years) can increase the amount of precipitation that enters the soil and becomes runoff relative to natural, older stands (Grant et al., 2008). As the stand ages, evapotranspiration rates increase and eventually exceed evapotranspiration rates typical of a natural, older forest (Perry and Jones, 2017). We are presently reviewing the newest low-flow science; however, given the protections afforded by the HCP and PSF, a relatively small proportion of the basin area is managed for timber production in DNR-managed watersheds compared to those studied and we suspect that DNR harvest impacts on summer-low flows are low. For example, all DNR-watersheds include wide, continuous riparian buffers and other protected areas that provide considerably larger protections than regulatory requirements in Oregon. Also, riparian buffers cited in Segura et al. 2020 measured 15 meters, while HCP prescribed riparian buffers range from 30 to over 55 meters. In addition, the DNR manages 75 percent of basins in the rain-on-snow zone as hydrologically mature forest cover. As the summer-low flow science matures the DNR will evaluate if the adaptive management process needs to be updated to account for potential DNR-management effects on low flows.

Additionally, the DNR is presently monitoring stream flow in small, headwater channels in the Olympic Experimental State Forest (OESF) as part of the Long-Term Riparian Monitoring Study. The intent of that study is to evaluate if the DNR is meeting the HCP riparian conservation objectives and to guide the integration of habitat conservation and timber production. These flow records may provide additional insight on whether or not DNR forest management are impacting low flows.

Finally, unlike the large-scale clear cuts of the past, the DNR aims to distribute smaller timber harvests across the landscape, separated by riparian and habitat buffers, reducing the impacts to any single watershed. At any given time, most medium-to-large catchments (area > 10 km^2) have a mix of harvest units in various stages of growth which may result in varied levels of late summer streamflow generation at the stand level, but more stable levels at the landscape level. In addition, larger catchments also have more storage reservoirs such as wetlands, lakes, and deeper aquifers, which may sustain low flows.

Warming waters

The stream buffers required by our Habitat Conservation Plan are designed to protect streams from temperature fluctuations. Potential impacts on summer stream temperature in the perennial channels caused by tree harvests can be inferred from the forest hydrology literature. In a study on buffer width and stream temperature in perennial streams, Janisch et al. (2012) observed that summer water temperature can increase in streams protected by a buffer width of 10 to 15 meters, or 32 to 49 feet, but that increase depends on the length of the channel and the presence of wetlands in the harvest area. Generally, impacts on water temperature have been found to be insignificant at buffer widths ≥ 30 meters or 97 feet (Brazier and Brown, 1973; Davies and Nelson, 1994; Gomi et al., 2006; Sweeney and Newbold, 2014). If all perennial streams and a

buffer width of 30 meters are excluded from harvest, the potential for changes in summer stream temperature in the perennial streams is considered low.
The Riparian Management Zones (RMZ) prescribed in the DNR State Lands HCP are larger than the findings discussed above. The HCP prescribed buffer widths on Type 1, 2, 3, and 4 streams are at least 100 feet, exceeding the 30 meter (97 feet) wide buffer where impacts to water temperatures were found to be insignificant. [In the OESF, the Department does have the ability to go under 100 feet with the use of allotted acres.]Theses RMZ buffers, which were evaluated in the FEIS for the State Lands HCP, are, in part, in place to shade streams and prevent stream warming. Stream protections for the Pistol Pete sorts proposal, described in section 3.b of the checklist, includes average 170 foot buffers on Type 1 streams, 158 foot buffers on Type 2 streams and 157 foot buffers on Typ 3 streams. Seasonal channels and smaller perennial channels, or Type 5 streams, may not have a buffer, but are often protected with leave trees.
As science on this topic evolves with changes to the climate, it may potentially change or inform our adaptive management process for determining DNR buffer specifications. The DNR is currently researching the impacts of forestry at the watershed level in the Olympic Experimental State Forest (OESF). This research is part of DNR's adaptive management commitment in the State Lands HCP. Water temperature is one of the elements that is being studied.

Old Forest

The stands contained within this proposal are representative of those found within this landscape and have experienced logging activity prior to stand initiation. Regarding your comments related to older forest thresholds, DNR implements practices to achieve older forest structure (not old growth) across 10-15% of the Straits HCP Planning Unit over the next 70-100 years. Stands designated to meet this goal include old growth stands and structurally complex forests located in special ecological management areas such as Marbled Murrelet habitat areas, riparian and wetlands management zones, areas of potentially unstable slopes, natural areas, gene pool reserves, etc. The Straits Planning Unit is on track to meet at least 10% older forest within conservation areas by 2100. Other areas not designated to meet this goal, like the stands in this proposal, are available for timber harvest consistent with previously mentioned policies and BNR approved sustainable harvest levels. DNR staff has provided information to the Board of Natural Resources in a series of Board meetings to address 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.

As described in the SEPA checklist, 82 acres immediately adjacent to the 149-acre proposed harvest are being retained for riparian protection, wetland protection and unstable slopes. Approximately 8 acres of clumped leave tree areas, plus additional scattered leave trees, were identified, with an emphasis on preserving areas of older and larger trees that will contribute to future stand structure. This is the same stand type as the proposed harvest area. These areas comprise 38% of the total area evaluated for harvest that will be deferred from harvest and will contribute to the older forest thresholds.

An old growth assessment was completed for unit 5, triggered by the presence of a "high probability" WOGHI point within 526 feet of Unit 5's southern boundary. Remnant old growth trees are present as individuals and small clumps outside of the proposed harvest unit in adjacent forest management units and along riparian corridors. Other than a small handful (6-8) of older trees clumped in the middle of the unit, this harvest proposal contains a very homogenous stand of 90–110-year-old second growth Douglas fir. In conclusion, this stand does not meet the criteria for deferral under DNR's old growth policy. It is a homogeneous stand of naturally regenerated second growth. Individual and small clumps of legacy old growth trees are present in adjacent forest management areas and riparian areas. Other than one small clump of mature trees within the unit, this proposal does not contain old growth forest. The clump of mature trees will be retained as part of the timber sale's leave tree strategy.

In summary the Pistol Pete Sorts Timber Sale was designed to be consistent with DNR's management framework (WAC 332-41- 665(1)(t)). The harvest was designed in accordance with DNR's Habitat Conservation Plan and Policy for Sustainable Forests. While your comments express 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 Pistol Pete Sorts Timber Sale.

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