Minutes
Board of Natural Resources Meeting
January 6, 2015
Natural Resources Building, Olympia, Washington

BOARD MEMBERS PRESENT
The Honorable Peter Goldmark, Washington State Commissioner of Public Lands
JT Austin, Designee for the Honorable Jay Inslee, Washington State Governor
The Honorable Jim McEntire, Commissioner, Clallam County
Thomas H. DeLuca, Director, School of Environmental and Forest Sciences, University of Washington

BOARD MEMBERS ABSENT
Ron C. Mittelhammer, Dean, College of Agricultural, Human, and Natural Resource Sciences, Washington State University
The Honorable Randy Dorn, Superintendent of Public Instruction

CALL TO ORDER
Chair Goldmark called the meeting to order at 9:00 AM. All Board members introduced themselves. Chair Goldmark noted there was a quorum for the meeting with two Board members absent.

Chair Goldmark welcomed Commissioner McEntire, representing the Counties, to the Board of Natural Resources.

SAFETY REVIEW
Ms. Vansot gave a safety overview and instruction on evacuating the building in case of an emergency.

APPROVAL OF MINUTES
Chair Goldmark called for approval of the minutes for the December 2, 2014 Regular Board of Natural Resources Meeting.

MOTION: Director DeLuca moved to approve the minutes.
SECOND: Ms. Austin seconded the motion.
ACTION: The motion was approved unanimously.
PUBLIC COMMENTS FOR TIMBER SALE ACTION ITEMS
Commissioner Dan Cothren, Chair, Board of Wahkiakum County, remarked that timber sale revenue is very important to the counties and detrimental when declined. He added that the counties cannot afford to absorb the cost.

Chris Brong, representing Skamania County, thanked the Board for their work with small counties like Skamania County. Mr. Brong stated that Skamania County is very dependent on timber revenue. He asked the Board to reconsider the timber harvest for the next two years for Skamania County and increase it as much as possible, as DNR timber sales is a large portion of their revenue source.

Kendra Smith, representing Skagit County, thanked the Board for their work on putting the timber sales forward. Ms. Smith expressed the importance of timber sale revenue and shared with the Board where the funds are distributed throughout Skagit County. She added that counties depend heavy on timber sale revenue.

TIMBER SALES (Action Items)
Proposed Timber Sales for January 2015 | 3 handouts, including the presentation
Tom Shay, Product Sales & Leasing Division

Mr. Shay presented the results of the December auctions to the Board. The Department offered 14 sales totaling 38.4 MMBF in December. All 14 sales sold, totaling $15.2 million for an average of $397 per MBF.

Mr. Shay remarked about the fair amount of interest in December sales, with an average of 2.5 bidders per sale.

Mr. Deluca asked about the price received for the Chicken Sandwich sale which was $663.90 per MBF.

Mr. Shay responded that the sale had a large amount of high value products (poles) that attracted bids from pole purchasers, as well as lumber marketers.

Mr. Shay then presented the proposed February 2015 sales to the Board.

Mr. Shay asked for approval of the proposed February 2015 sales.

MOTION: Director DeLuca moved to approve the proposed February 2015 sales.
SECOND: Commissioner McEntire seconded the motion.
ACTION: The motion was approved unanimously.

PUBLIC COMMENTS FOR SURVEY MAP RECORDING FEE INCREASE ACTION ITEMS
None.
SURVEY MAP RECORDING FEE INCREASE (Action Items)
Kyle Blum, Deputy Supervisor for State Uplands
Pat Beehler, Land Survey Manager

Mr. Blum and Mr. Beehler presented historical background of the surcharge fee for recording survey maps. Mr. Blum explained that fees collected by the county auditor are remitted to the Surveys & Maps Account in the state General Fund. The money in the Surveys & Maps Account is appropriated to DNR by the legislature to support the Public Land Survey Office (PLSO) in their mission to collect and index survey records on a statewide basis. The records are made available through an on-line subscription service, staff research assistance and a public information counter.

The staff of the PLSO has been reduced due to a dramatic decrease in recording fees, which has led to the current backlog of scanning and indexing the survey records. Two members of the PLSO staff, Mary Zuris and Kris Horton, presented the Board with examples of the material that needs to be entered into the records system and made available for research. Ms. Zuris and Mr. Horton answered the questions asked by the Board and related how the records are scanned and indexed.

Mr. Blum asked for approval to authorize DNR to begin the rule-making process under the Washington Administrative Procedure Act for raising the recording fee surcharge from the current $46 to a new fee of $64; with a future public hearing before the Board and final consideration by the Board at a future meeting.

Mr. Blum recommended approval of Resolution 1436.

MOTION: Commissioner McEntire moved to approve Resolution 1436.
SECOND: Director DeLuca seconded the motion.

ACTION: The motion was approved unanimously.

PUBLIC COMMENTS FOR MARBLED MURRELET LONG-TERM CONSERVATION STRATEGY
Marcy J. Golde, Olympic Forest Coalition Board member, stated that marbled murrelets are on a downward trajectory and headed toward extirpation if there is no change. She further expressed that this is a moral issue, not just a management issue.

Elizabeth Ruther, Northwest Program Representative with Defenders of Wildlife, thanked the Board for their continued work on the marbled murrelet long-term conservation strategy. She stated that completing the long-term conservation strategy should be a priority. The strategy should be completed before the new harvest calculation is updated. Ms. Ruther remarked that Defenders requests the Board to recall that the HCP commits the state to make a significant contribution to maintaining and protecting the marbled murrelet population.
Kaitlyn Schwindt, University of Washington graduate, remarked on the federal obligation under the Endangered Species Act to ensure the survival and recovery of the marbled murrelet. Ms. Schwindt urged the Board to make the long-term conversation strategy a priority.

Susan North, Conservation Manager for the Seattle Audubon Society, stated that she is mindful that the Board knows that DNR’s obligations are required under the HCP. Ms. North remarked that she recognizes DNR’s obligation to balance its fiduciary responsibility to contribute to the recovery of the species. She expressed that the long-term conservation strategy should be prioritized prior to the sustainable harvest calculation.

Commissioner Dan Cothren, Chair, Board of Wahkiakum County, stated that through legislation Wahkiakum County has land set aside for conservation status that the county will be reimbursed for, but the issue is that there is additional land that cannot be harvested. Mr. Cothren expressed that securing up the lands is not helping the other species and the economic aspect is hurting the county.

Ms. Austin stated that this is a very important subject and she is working with Mr. Blum on understanding the parallel between the Marbled Murrelet Long-term Conservation Strategy and the Sustainable Harvest Calculation, and that she will continue to be engaged in this discussion.

Ms. Austin departed the meeting at 10:27 AM.

Ann Forest Burn, Vice President, American Forest Resource Council, commended staff for its careful work to craft a framework for the long-term conservation strategy that will meet all five objectives in the Need, Purpose and Objectives adopted by the Board. AFRC urged the Board to assure that the methods employed are understandable, transparent, and scientifically defensible.

Chuck Burley, Public Affairs Manager for Interfor, stated that Interfor’s sawmills are highly dependent on DNR timber sales, and expressed the concerns they have with marbled murrelet habitat on the Olympic Peninsula. Interfor is interested in seeing the draft long-term strategy and how it meets the five objectives adopted by the Board. Mr. Burley stated that if the long-term strategy is tied up in years of litigation there will be no certainty to the trusts’ beneficiaries or those that depend on the lands for their employment.

Wyatt Golding with the Washington Forest Law Center, representing the OFCO, the Sierra Club, and Seattle Audubon, remarked that the conservation community supports the long-term conservation strategy and then addressing the sustainable harvest calculation. The long-term conservation strategy needs to be a priority. Mr. Golding remarked that they would like to see the biological benefits for the marbled murrelets included in the analytical framework.

Kevin Schmelzlen, with the Marbled Murrelet Survival Project, remarked that he looks forward to hearing Commissioner McEntire’s thoughts on how to best balance the financial needs of the beneficiaries with the obligation our state has under the Federal Endangered Species Act to protect and recover the marbled murrelets. Mr. Schmelzlen believes that the 2008 Science Report took the DNR’s fiduciary responsibility and counties reliance on timber into account, and that the report strives for saving the marbled murrelet from extension while ensuring timber revenue continues to flow.
Shelly Spalding, retired Federal Endangered Species Biologist, stated that it is important that the long-term conservation strategy be applied using consistent methodology across the six Westside planning units. Ms. Spalding remarked that she strongly supports the methods developed by the expert marbled murrelet science team. It is important that the long-term conservation strategy be developed prior to the sustainable harvest calculation in order to not preclude the strategy options by agreeing to a sustainable harvest calculation that would contribute to the decline of the marbled murrelets.

Peggy Burton, citizen, stated that she agrees to setting the baseline back to 1997. Ms. Burton urged the Board to make the marbled murrelet long-term conservation strategy a priority over the sustainable harvest calculation.

Chair Goldmark convened a break, and then reconvened the meeting at 10:16 AM.

MARBLED MURRELET LONG-TERM CONSERVATION STRATEGY
Kyle Blum, Deputy Supervisor for State Uplands
Peter Harrison, Project Manager, Marbled Murrelet Long-term Conservation Strategy

Mr. Blum introduced the presentation by clarifying how the Marbled Murrelet Long-term Conservation Strategy (MMLTCS) and the Sustainable Harvest Calculation (SHC) will be developed in a concurrent process as directed by the Board at previous meetings. Mr. Blum explained that DNR will complete the processes concurrently so that the impacts of the MMLTCS can inform the SHC harvest. The concurrent process will analyze the range of MMLTCS alternatives in the SHC. This will allow the board to understand how different choices made in the MMLTCS affect the SHC level.

Director DeLuca asked about how project interaction would work for the SHC if significant comments were received on the MMLTCS. Mr. Blum stated that if significant changes are received, the project team will take the necessary time to incorporate those changes into the SHC.

Mr. Blum introduced ‘disturbance take’ as another piece of the MMLTCS analytical framework that was developed jointly by DNR and USFWS.

Mr. Harrison explained the definition of disturbance take as effects to murrelets that may occur from actions generating loud noises and activity in close proximity to nesting murrelets, resulting in a potential disruption of murrelet breeding and nesting behaviors. He then explained a list of forest management activities listed in the 1997 State Trust Lands Habitat Conservation Plan (HCP) that may result in disturbance to the marbled murrelet.

Mr. Harrison explained how USFWS and DNR developed a process to measure the significance of disturbances associated with the HCP forest management activities. This process was evaluated by using three tools: stressors of the activity, duration of the activity and response from the marbled murrelet.
Stressor categories include ground-based noise, visual disturbance, predator attraction, impulsive noise and aircraft noise. Duration categories include activities that occur less than 1 day, less than 7 days, greater than 7 days but less than a month, and greater than 1 month. Response categories include no significant response, aborted feedings, adults flushing, mortality from removal of nest tree, mortality from predation and hearing damage. A stressor, duration and response was assigned to each forest management activity. Activities that had the same stressor, duration and response were grouped together. This resulted in six different groups for the forest management activities.

Mr. Blum introduced a specific example for campgrounds that gives a detailed explanation of how potential disturbance take would be calculated for this forest management activity. Campgrounds were assigned stressors of ground-based noise and visual disturbance, a duration of less than 1 month, and response of potential mortality from removal of nest tree, increased predation risk, aborted feedings and adults flushing.

The first step is to determine the location of potential impact or where the activity occurs. Using DNR GIS and other corporate data we identified the locations that each activity occurred, or the activity footprint. The next step is to buffer the activity with 100 meters from the edge of the activity footprint. Once we have identified the activity footprint and buffer we identify the sum of the p-stage habitat. For campgrounds statewide the total footprints and buffers equals 1,336 acres. The p-stage habitat within the campgrounds footprints and buffers is 305 acres.

Mr. Blum explained that to factor in habitat quality we assigned an average p-stage habitat value to the p-stage habitat identified within campgrounds. For this example, we used .34 as the average p-stage habitat across DNR lands. This number is not a real number of the average p-stage habitat, it is being used for illustration purposes. When a real number is available it will be presented. To factor habitat quality we multiply 305 acres by .34 to get 104 weighted p-stage acres.

Areas of long-term forest cover will be conserved for the life of the HCP and is the habitat that is subject to disturbance take. We identified the percentage of DNR lands in areas of long-term forest cover (ALTFC) as 51%. We multiply 104 weighted p-stage acres by 51% to get 53 acres, the average proportion of DNR lands in ALTFC.

The second phase of identifying potential disturbance take is to adjust for time. Adjusting for time is important because the same acre can be impacted by disturbance take multiple times over the life of the HCP. Another consideration for time is considering the nesting season. This consideration is because an activity that causes take when it occurs in the nesting season, may not cause take if it occurs outside of the nesting season. USFWS and DNR identified the nesting season as 176 days in duration. To account for some activities that occur during the nesting season, but only occur during the weekdays we assigned a percentage of occurrence of 5/7 days or 7/7 days out of the nesting season for each activity.

Mr. Blum explained that in the campground example to adjust for the nesting season we take 53 acres and multiply it by the number of days the activity overlaps with nesting season and then multiply it by the activity occurrence. For the campground example this is 53 acres* (176/176) *(7/7) which results in 53 acres.
The last step in adjusting for time is to include the years remaining in the HCP. For the campground example with 53 years remaining in the HCP we multiply 53 years*53 acres resulting in 2,809 time-adjusted acres.

Commissioner McEntire asked if we will run this same algorithm for the 36 different types of potential disturbance take.

Mr. Blum clarified that we will lump the 36 activities into groups to have six separate totals. After we have those totals we will determine the biological implications for each group total as each group will have a different level of impact.

Mr. Blum walked through another example for potential disturbance take associated with timber harvest.

Mr. Blum explained that the next steps for the MMLTCS is to bring the biological implications information, the baseline acres and the alternatives for the Draft Environmental Impact Statement.

PUBLIC COMMENTS FOR SUSTAINABLE HARVEST CALCULATION (SHC)

Marcy J. Golde, Olympic Forest Coalition Board Member, asked the Board extend the comment period for the two EISs in parallel. Ms. Golde urged the Board to give the public 90 days to provide their comments.

Mike Davis, Division Forester for the Cowlitz Division of Hampton Lumber, stated that in April he had strongly supported the Board to be engaged and deliberate in the development of the next decadal sustainable yield harvest calculation. Mr. Davis urged the Board to remain within the confines of existing policy and maintain a narrow scope; and to be deliberate but prompt in moving the process forward. He expressed that sawmills and communities are directly linked to DNR trust lands, and the certainty of these trust lands, to provide a steady, reliable flow of timber.

Matt Comisky, Washington Manager for AFRC, stated that AFRC applauds the narrow and focused scope of the Purpose and Need statement, however it feels that further refinement is needed. Mr. Comisky provided the Board with a revised draft of the Purpose and Need statement for the Sustainable Harvest Calculation. He urged the Board to incorporate the suggested changes when adopting the Purpose and Need Statement.

Rick Homelick, representing the Timberland Regional Library (TRL), expressed his gratitude for the work the Board has done. Mr. Homelink would like to give content to the term trust beneficiary. One of TRL’s mission is community engagement, and he remarked that the sustainable harvest calculation will have an impact on TRL’s budget.

Wyatt Golding, with the Washington Forest Law Center, representing the OFCO, the Sierra Club, and Seattle Audubon, stated that having both the marbled murrelet long-term conservation strategy and sustainable harvest calculation run parallel will further delay the long-term conservation strategy. Mr. Golding encouraged the Board to address climate change in the
Purpose and Need Statement, as the trust obligation requires DNR to “ensure perpetual revenue for the trusts.”

Patty Wood, Kelso School Board of Directors, representing the trust beneficiaries of state lands and public school children, urged the Board to keep in mind that the lands are entrusted for our public school students. Ms. Wood expressed that the public schools rely on the revenue that the lands generate.

Russ Pfeiffer-Hoyt, Chair of the Washington State School Directors’ Association Trust Land Task Force, stated that he is pleased to see the level of engagement that the Board has been giving to the sustainable harvest calculation process and the careful work that the DNR staff has prepared for the Board. Mr. Pfeiffer-Hoyt believes that the existing policies, *Policy for Sustainable Forests*, are working well. He urged the Board to keep the work focused on the SHC long-term conservation strategy in a manner that maximizes long-term value to the trusts.

**SUSTAINABLE HARVEST CALCULATION (SHC)**

Kyle Blum, Deputy Supervisor for State Uplands

Mr. Blum introduced the Sustainable Harvest Calculation (SHC) by stating that the information he will be presenting is the same as the previous presentation given at the December BNR meeting. Mr. Blum wanted to give the Board an opportunity to review the information and provide feedback.

Mr. Blum reviewed the concurrent processes diagram for both the SHC and the Marbled Murrelet Long-term Conservation Strategy (MMLTCS). Commissioner McEntire asked about the legal timeframe for USFWS to complete a biological opinion on the MMLTCS. Mr. Blum responded by stating that for a major amendment to the HCP the implementing agreement states they will respond within 180 days.

Mr. Blum reviewed the language of the Purpose and Need statement for the Sustainable Harvest Calculation scoping phase directed by the State Environmental Policy Act (SEPA) process.

Mr. Blum asked the Board members if they had any questions on the Purpose and Need language prior to the scoping phase of the project.

Director DeLuca asked about the process the Department would undertake if they added language about climate change to the 2006 Policy for Sustainable Forests. Mr. Blum stated that it would need to be addressed through the SEPA process.

Commissioner Goldmark stated that he would like to move the Purpose and Need language forward into the scoping phase for the SHC.

Commissioner McEntire asked to hear about uncertainties that would be associated with introducing new policies into the Sustainable Harvest Calculation when the Department reaches that point. He stated that the existing draft Purpose and Need statement seems to be satisfactory to move forward with the scoping phase.
Director DeLuca stated that he would like to move forward into the scoping and noted that BNR members not present need information about scoping.

PUBLIC COMMENTS FOR GENERAL ITEMS OF INTEREST
Kevin Schmelzlen, with the Marbled Murrelet Survival Project, urged the Board to allow video recorded public comments at future Board meetings.

Susan North, Conservation Manager for the Seattle Audubon Society, state that the marbled murrelet species are listed as ‘threaten with extinction’, which is why they are on the endangered species act. Ms. North claims that DNR has agreed to contribute to the recovery of marbled murrelets through agreeing to implement the HCP. She added that she hopes to see more of the marbled murrelet biology in future presentations.

Meeting adjourned at 11:43 AM
Approved this 3rd day of February, 2015

Peter Goldmark, Washington State Commissioner of Public Lands

JT Austin, Designee for Governor Jay Inslee

not present

Randy Dorn, Superintendent of Public Instruction

Jim McEntire, Commissioner, Clallam County

via conference call

Ron Mittelhammer, Dean, College of Agricultural, Human, and Natural Resource Sciences, Washington State University

Thomas H. DeLuca, Director, School of Environmental and Forest Sciences, University of Washington

Attest:

Sarah Vansot, Board Coordinator