



Olympic Forest Coalition

Spring 2008

The mission of the Olympic Forest Coalition is to protect and restore forest and aquatic ecosystems on the public lands of the Olympic Peninsula.

Oregon Lawmakers' Move May Bring More Logging, Kill NW Forest Plan and Limit Public Participation

Members and friends, take heed: there's some bad legislation heading our way. OFCO and other conservationists have seen two drafts of a bill from Congressman Peter DeFazio (D-OR) that would dismantle the Northwest Forest Plan, while seeming to keep the Aquatic Conservation Strategy in place. Decisions on timber production on each national forest would be put into the hands of a select group of individuals, known as Resource Advisory Committees (RACs), appointed by the Secretary of Agriculture.

You can be certain that groups like OFCO will not be asked to serve on the RACs, but even if we were, we do not believe in cutting the public out of public land decisions. The concerns of citizen activists like us would be heard by the RACs, which would decide whether to accept an appeal on a sale. Of course there would be little expertise on these RACs to even begin to fulfill their mission. Promoted as a way to lower conflict on national forests, this new modus operandi, at least in Washington state, would appreciably raise the level of conflict.

While the bill includes language to "protect" old growth, the definition is unclear; on drier eastside forests, old-growth logging would be allowed under some circumstances.

The bill promotes a major increase in thinning sales with no protection given to aquatic resources. Thinning, of course, is better than old growth clearcuts, but increased thinning with no real clamp on road-building is very bad news for aquatically damaged national forests. And what of global warming? Sound science would not recommend logging and

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Legacy Roads and Trails Program Gets \$39.4 Million

by Bonnie Phillips

The Washington Watershed Restoration Initiative (WWRI), composed of the State Departments of Ecology and Fish and Wildlife and 13 conservation groups, is proud to announce that through the efforts of Congressman Norm Dicks, Senator Maria Cantwell, the WWRI and a number of other conservation organizations in other western states, the Fiscal Year 2008 Omnibus Bill contains \$39.4 million for a nationwide program of road/trail repair and maintenance, road decommissioning, removal of fish passage barriers, and road repairs required because of recent storm events.

The Olympic National Forest received \$1.187 million of the total amount. Although no end date was tied to the use of these funds, the Bush administration, as usual, interfered in what Congress intended. They not only added a stipulation that the money must be used by the end of the fiscal year—September 30, 2008—but they basically ignored the section that focused on allocating the money to national forests suffering the worse aquatic damage. It is thus scattered willy-nilly throughout the United States. Nevertheless, the money coming to the ONF is nothing to sneeze at. More than half of this money will be used for road decommissioning, almost exclusively in the Skokomish watershed.

WWRI members met in March with individual national forests to discuss not only how the money for this year will be used, but next year's planning in determining future priorities. One of the major handicaps standing in the way of having the agency do the best job possible is shortage of staff, particularly road engineers. Another is having sufficient funds and staff to do adequate inventories of the status of each road. (If you think national forests know where all their roads are, think again.) On the ONF we are in pretty good shape. This forest has a recent inventory of the major road system, but many "category one" roads, still on the system but often invisible to the naked eye, are not known. Also there are many roads that are not in categories 1 through 5 that are unknown. Abandoned roads can create much

aquatic damage but knowledge of their threat comes only after the fact.

Since this is at least a 10-year program, we are very happy to get our foot in the door during WWRI's first year. Congressman Norm Dicks deserves all the kudos we can give him for the great leadership he has provided—and will be providing in the future.

OFCO Executive Director Bonnie Phillips serves as coalition coordinator for WWRI. We are grateful to the Bullitt Foundation for a \$20,000 grant to fund her efforts.

Congressman Norm Dicks Keynotes the Watershed Restoration Symposium

Congressman Norm Dicks, our representative on the Olympic Peninsula and chair of House Interior Appropriations Subcommittee, will be the keynote speaker at the Watershed Restoration and Forest Roads Symposium. This regional conference will be held in Tacoma in honor of Dicks, who has done so much to bring failing watersheds to national attention.

This conference is sponsored by Pacific Rivers Council, The Mountaineers Foundation, The Wilderness Society, Washington Department of Ecology, and the Washington Watershed Restoration Initiative. OFCO Executive Director and WWRI Coalition Coordinator Bonnie Phillips will moderate a panel entitled, "Case Studies, Controversy, Collaboration and Cost-Sharing." There will be three panelists, including Robin Stoddard, Hydrologist on the Olympic National Forest, who will be speaking about the Skokomish Watershed Action Team of which OFCO is a member.

—Bonnie Phillips

Blanchard Mountain: Challenge to DNR Compliance

by Toby Thaler

In the 1930s Great Depression, thousands of acres of private forest land were forfeited to the counties for unpaid taxes. The Legislature consolidated management of this "forest board" land into the state Department of Natural Resources (DNR). In exchange for giving up title, the counties were promised timber receipts "in lieu" of the lost taxes. Unfortunately, this arrangement led to an unhealthy dynamic of local pressure for timber cutting for revenue regardless of the environmental impacts.

Some counties have become more enlightened. There's King County's world-class recreation and "working forest" at Tiger Mountain and Mt. Si Natural Resource Conservation Area (NRCA); Whatcom County is currently negotiating return of its "forest board" lands around Lake Whatcom for park purposes and to protect Bellingham's water supply.

Blanchard Mountain is a unique block of county "forest board" land—the only place in the state where the Cascades come down to the Sound. Blanchard contains the largest intact coastal forest on the east side of the Sound. It provides important habitat for threatened marbled murrelets and other late successional ("old growth") dependent species.

Skagit County, beneficiary of the largest acreage of "forest board" land in the state, would not countenance non-timber-focused management on Blanchard Mountain. Local environmentalists have pushed back for 20 years. Under increasing pressure to resolve the conflict, Lands Commissioner Sutherland appointed an advisory committee to come up with recommendations. Excluded from the invitation list, however, were the long-time local activists. Conservation Northwest was appointed to represent them.

In short order, DNR, Skagit County, and the other members of the committee, many of them beneficiaries from timber sales, agreed upon a "consensus" recommendation that allocates 1/3 of DNR's land to a

core area, and leaves the rest for timber harvest as the primary goal. DNR conducted a minimal SEPA review, and declared that the impacts of the Blanchard "Strategies" would be "insignificant."

A number of local activists objected to DNR's conclusions, including the Mt. Baker Chapter of the Sierra Club, the Bellingham Mountaineers, Coast Watch, North Cascades Audubon, Chuckanut Conservancy (Chuckanut), and North Cascades Conservation Council (N3C). After DNR adopted the Strategies without substantial change or analysis, the latter two groups filed suit in King County Superior Court in September 2007. Intervenors on the side of DNR are Skagit County, the American Forest Resources Council (AFRC), and Conservation Northwest.

The Blanchard lawsuit is split into two claims: SEPA and non-SEPA. Under SEPA, DNR is charged with failing to properly evaluate environmental impacts by refusing to prepare an environmental impact statement (EIS). SEPA issues will be heard this spring.

Under the non-SEPA claims, Chuckanut and N3C allege that DNR has failed to comply with the Public Lands Act (PLA). The PLA is a compilation of a century of statutes (RCW Title 79); it governs all aspects of DNR management of state forest land. At the same time as the Legislature and Congress were passing the modern environmental laws (SEPA, FPA, ESA), the Public Lands Act was amended to add a "multiple use act" (RCW 79.10.120), and a "sustained yield" requirement (RCW 79.10.300 - 340)

A proposal to replace some of the beneficiaries' timber money with a parks district would meet the various parties' needs more completely. The parks district would raise money through taxes that could be used to shift the focus of Blanchard management away from timber and toward recreation. DNR did

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Forest Service Announces Decision for Jackson Timber Sale

by Jim Scarborough

On January 30, the U.S. Forest Service released a much-anticipated decision notice for the Jackson timber sale, located between Quilcene and Brinnon on the Olympic National Forest. Several years of agency planning, repeated site visits by OFCO and other conservation groups, and voluminous public comment resulted in a final product that most folks can probably live with.

In its original form, the Jackson sale proposal was not without controversy. Much debate derived from plans to log in scenic forest that had regenerated naturally from a succession of settler fires in the late 19th century. This unique maritime forest, on the quiet slopes of Mount Walker—a major recreation draw and green backdrop to Hood Canal—is maturing towards eventual old-growth status all on its own. Other concerns stemmed from proposed logging roads that would jeopardize water quality and fish habitat. Opposition from the local community and conservationists was rapid and sincere.

A review of the Jackson sale's final version shows that the Forest Service heard the public's input and responded accordingly. We are quite certain that the agency spent many extra hours studying each nuance of the sale, relying on both their professional expertise and the public's stated concerns. Happily, Mount Walker will not be logged as part of this sale. And neither will the equally impressive east slopes of Buck Mountain and Mount Turner across the way, rising tall above Highway 101. Moreover, certain areas in the vicinity of Rocky Brook sporting older forest attributes also will be spared the chainsaw. Temporary and reconstructed logging road mileage has been cut roughly in half from the original proposal.

To be sure, the Jackson sale will still result in the thinning of over 1,500 acres of public forest and involve over three miles of new logging roads on

previously unroaded soils (though these roads will be removed to the extent possible after the sale is completed). OFCO remains generally skeptical of agency claims that thinning in western Washington forests over 50 years of age will benefit their development in any way. And we cannot condone the construction of new logging roads, temporary or otherwise, given the maintenance backlog for old roads elsewhere on the forest that threaten the health of our watersheds.

All told, however, the situation is now far brighter for the Jackson sale. Essentially all of the controversial logging proposed in older, scenic forests has been eliminated. National Forest acreage on Mount Walker will remain untouched. Logging road mileage has been much reduced, and what remains will feature improved standards such as narrower widths. OFCO wishes to congratulate all those in the community who care deeply about their home turf and made their voices heard through this long process. And we encourage everyone to commend our Forest Service personnel for taking seriously their roles as public servants and stewards of the unmatched Olympic National Forest.

Please send your comments to: comments-pacificnorthwest-olympic-hoodcanal@fs.fed.us

(Murrelets, continued from p. 5)

http://www.dnr.wa.gov/Publications/lm_mamu_sci_team_report.pdf. More info will be coming, and the EIS should be out in 2009. OFCO is pleased that Seattle Audubon will be taking the lead in review and comment on the Long Term Plan.

— Marcy Golde

MARBLED MURRELET REPORT***Bush Loses: Murrelet Protection Back in Place***

When the Northwest Forest Plan became final in 1994, all national forest habitat for marbled murrelets, listed as “threatened” under the ESA, was protected. This was the major reason little if any old growth logging was allowed in the Olympic and Mt. Baker-Snoqualmie National Forests. The ESA requires that once a species is listed, the U.S. Fish and Wildlife Service must designate Critical Habitat—areas where habitat destruction is forbidden, at least on federal land.

In the late 1990s, the timber industry sued the U.S. FWS on both northern spotted owl and marbled murrelet status. The FWS settled out of court, and lengthy studies on both species followed. Although the industry tried very hard to get the owls delisted, the scientific evidence pointed to a species going downhill fast. (Delisting ends the federal agencies’ obligation to plan for recovery.)

Scientists on a separate panel studying murrelets believed that species too should stay on the ESA list, while the Bush administration argued for delisting based on thriving murrelet populations in Alaska.

But evidence that politicians had interfered with the scientists led lawmakers to force the administration to redo the scientific studies, *sans* political input.

Even so, the Bush administration came up with a plan that drastically cut Critical Habitat for murrelets. Once again, scientists, lawmakers and environmental groups fought back. In March, Bush rescinded his plan and at this time all Critical Habitat protection is back on board. Although this will help all national forests, the biggest impact will be on BLM forest land in western Oregon. BLM is trying to “get out of” the Northwest Forest Plan and become a “let’s log it all” forest. With Critical Habitat protection back in place, there’s now a chance to save at least some of the old growth on these lands.

But it’s far from over. Look for efforts to subvert or circumvent the ESA to continue.

— Bonnie Phillips

10,000 Acres for Murrelets on DNR-Managed State Lands

Back in 1997, when the DNR signed a Habitat Conservation Plan (HCP) with the U.S. Fish and Wildlife Service and NOAA Fisheries, too little was known about marbled murrelets to write long-term management plans. A five-step Interim Plan for study and protection was initiated (Habitat Deferrals, Habitat Relationships Studies, Habitat Reclassification, Surveys and Release of Some Unoccupied Habitat for Harvest, Long-term Conservation Planning).

In the Straits District—but nowhere else on DNR-managed lands—the first four steps are done. The survey identified more than 14,000 acres of “reclassified” murrelet habitat and released nearly 4,000 acres of low-quality habitat as unoccupied. The remaining 10,000 acres make up the only area protected from harvest (except 18 acres of high-quality spotted owl habitat to be protected until 2014 under the Settlement). At least this level of protection should continue through the Long Term Planning process. My educated guess is that the 10,000 acres protected significantly exceeds what DNR had hoped for a decade ago, when the HCP was finalized. The maximum release allowed was 50 percent, but other protections made it only 27 percent returned for harvest.

In the Olympic Experimental State Forest (OESF), all reclassified habitat is protected until the Long Term Plan is complete.

What about the Long Term Conservation Planning? DNR started this process by scoping for the EIS in 2007. The Conservation Caucus submitted extensive comments and requested that the process stop pending completion of the interim steps. But DNR has continued, at least partly because reclassification and surveying in other Regions has taken much longer than anticipated and is not yet complete.

The Draft Report of the independent Science Team was released in late February and is on the Web at

(Continued on p. 4, **Murrelets**)

Burke Photo Exhibit and Book Celebrate the Hoh River

A photo exhibit celebrating the unique beauty of the Hoh River will open April 24 at the Burke Museum on the UW campus at NE 45th St and 17th Ave NE, Seattle.

In *Fast Moving Water: The Hoh River Story*, acclaimed nature photographer and Washington native Keith Lazelle captures the dramatic beauty of the Hoh River, one of only a few virtually intact and pristine rivers in the contiguous United States.

The exhibit, organized by the Burke Museum of Natural History and Culture in collaboration with the Hoh River Trust, runs through June 8. *Fast Moving Water: The Hoh River Story* will present 12-16 large-format color photographs of the Hoh River ecosystem. Text panels and captions will illuminate the rich history and cultural significance of the river, along with the efforts of cooperation and awareness building between environmentalists, local communities, tribes, government, and the timber industry.

A new companion book, *Fast Moving Water: Images and Essays from the Hoh River*, has been published by the Hoh River Trust. An audio CD of nature sounds by Emmy Award-winning sound recordist Gordon Hempton also will accompany the exhibition.

OFCO congratulates Lazelle on this achievement, and urges members to attend.



Fast Moving Water: The Hoh River Story

(Wyden, continued from p. 1)

roadbuilding in any naturally regenerated forest (from fire, wind or—rarely in our area—insect infestation) at whatever age, yet deFazio's bill pays no attention to anticipated climate change impacts. Under the guise of protecting old growth, the ramped-up thinning is a big and potentially destructive giveaway to the timber industry.

We greatly support our Oregon colleagues working with their whole hearts to protect chainsaw-threatened old growth. Our big concern, however, is the price being paid, aka the quid pro quo.

DeFazio plans to introduce his bill this year, in the waning days of the Bush administration. But why, since nothing will pass this year anyway? It makes more sense to wait for the next administration, when we can hope that protecting the remaining old growth would not have to come at the price of turning over public land decisions to pro-timber interest groups—and the increased roadbuilding these big thinning programs would necessitate.

Senator Ron Wyden (D-OR), as Chair of the Senate Energy and Natural Resources Committee, has held two hearings, one on thinning and one devoted to defining "old growth." Only one conservationist was invited to testify at the latter hearing, held in March; most of those present (i.e., timber interests) clearly favored a definition narrow enough to allow a lot more logging. Wyden is expected to introduce a bill, also this year, to complement the DeFazio bill. It's hard to describe what a disaster this would be for the Olympic National Forest. When we learn more details—and when it's time to contact our Congressional delegation—we'll put out an action alert. Your help will be needed.

Timber Industry Wants Salvage in Quinault Roadless Area—But Why? Let's Do the Math: *Salvage + Roadless = No More Roadless Area*

by Jim Scarborough

This past February, the timber industry hastily arranged a meeting at the usually placid Lake Quinault Lodge to discuss their desire to salvage-log old trees from the adjacent South Quinault Ridge roadless area. Portions of this prime-val forest blew down during a vicious December storm. The Aberdeen *Daily World* newspaper covered this meeting in some detail and shortly afterward published an op-ed from the industry to the same effect.

This media interest precipitated OFCO contacts with Olympic National Forest Supervisor Dale Hom and District Ranger Lance Koch. Both men assured us that they had no plans or desire to log in this (or any other) Inventoried Roadless Area. As Mr. Hom was quoted in the *Daily World*, the salvage operation sought by the timber industry would require an act of Congress before it could legally ensue.

In coordination with six other regional conservation groups, OFCO followed its communication with the Forest Service by sending a cautionary letter to Senators Murray and Cantwell, as well as to Reps. Dicks and Inslee. It is our understanding that the timber industry has asked the delegation for support to enter South Quinault Ridge. Given that there is no ecological basis for salvage, no increase in fire risk to structures, and little economic benefit to be had, we expressed our strong opposition to entering this—or any other—roadless area.

The industry's rationale for salvage is based on ideology rather than science. First, risk of wildfire is very low in this rain forest zone, and leaving wood on the ground will not increase this risk in any significant way. Second, insect outbreaks are unlikely as this forest sports a diverse mix of tree species. Assessments by Forest Service personnel support

these conclusions, along with the positive habitat value of large down wood.

Moreover, log prices are at a 20-year low thanks to a collapsing housing market, and there is a glut of wood piling up at the mills. A nearby salvage sale put up late last year along the Wright Canyon road produced no serious bidder, and many green tree sales on state forest lands aren't readily selling. Yet both the Department of Natural Resources and private industrial landowners are in the process of offering millions of board feet in new salvage sales outside of the national forest, which will further saturate the market if willing buyers can be coerced into opening their wallets.

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not give the parks district proposal serious consideration, and local timber interests are fomenting litigation to keep it off the ballot.

Unlike other early-1970s environmental statutes, the Public Lands Act amendments have not been the subject of much public interest litigation—until now. In the Blanchard Mountain case, Judge Susan Craighead recently denied DNR's motion that environmental groups have no "standing" to sue. Standing allows a party to obtain a ruling on the merits of their claims; the plaintiffs are within the "zone of interest intended to be protected" by the statute, and they will suffer harm if the law is not enforced.

The Blanchard standing ruling is early in the case, and its ultimate precedential value is uncertain. "But it sure is nice to win one," said attorney Toby Thaler. "Hopefully DNR can be moved toward more sustainable, less extractive management of public lands."

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