



## Perseverance Pays Off April 2013

Seven years ago, several conservation groups, including OFCO, reached a settlement with the Department of Natural Resources (DNR) on limiting how and how much, they harvested timber on state forest lands across western Washington as a means of assuring habitat protection for Northern Spotted Owls.

The settlement negotiations grew out of an earlier lawsuit (*Washington Environmental Council, et al. v. Sutherland, et al.*) and decision by a state Superior Court in favor of the conservation coalition.

One provision of the settlement was: "*DNR agrees to perform at least the same number of acres of enhancement activities as regeneration harvests, measured across the entire OESF [Olympic Experimental State Forest], during the entire period of the Agreement*" [2006–2014 or when the next Sustainable Harvest Calculation is adopted]. The term "regeneration harvest" describes a harvest method that cuts an existing stand of trees and replants with baby trees.

By the end of 2011, however, DNR had done almost no enhancement. The so-called regeneration harvests are essentially clearcuts, the "leave trees" being only the absolute minimum number allowed by their Habitat Conservation Plan with the federal government. The agency made it clear that this mode of harvest was expected to continue.

In January 2012 the conservation groups made a formal request for Dispute Resolution under the terms of the Settlement Agreement. Negotiations with DNR dragged on and on with no resolution in sight—until Kyle Blum took over as Deputy Supervisor in the fall of 2012.

Blum secured Commissioner Goldmark's direction to comply with the settlement terms and obtained additional money and staff for enhancements. He worked with the Olympic Region staff to develop a plan for reducing the planned "regeneration harvests" and adding extensive thinning as enhancement, plus some snag and down wood creation, to move stands into Old Forest designation. The final agreement made these commitments, as measured against previous plans:

- Reduce clearcutting by 1,000 acres;
- Increase enhancement thinning by 2,000 acres;
- Increase young plantation thinning by 3,300 acres;
- Increase older-forest-type habitat by making snags and down wood decadence on 225 acres, and then protecting them as Old Forest.

This agreement constitutes a big improvement on the OESF, thanks to the perseverance of the conservation caucus. It's been a long effort. We succeeded because we continued to push until we reached a reasonable solution.

Congratulations, and thanks to all: DNR, especially Kyle Blum; Washington Environmental Council; Conservation Northwest; OFCO; and Brian Gruber, our attorney.