



Conservation advocates since 1989



Dear Members, Colleagues, and Friends -

Thank you so much for your past support of our programs and efforts. We moved forward in 2023 on our work to protect species, watersheds, and forests of the Olympic Peninsula. Building on the 2022 legal wins in federal and state forest land cases, we worked with partners to:

- ◆ OFCO’s 20-year monitoring program report on the state managed timber sales and recommendations on the future of the Olympic Peninsula’s state managed timber lands is ready for publication. The report documents the impacts of badly designed and implemented timber sales since 2004, sales which violate the terms of DNR’s Habitat Conservation Plan and permit to cut timber. OFCO’s Dr. Catharine Copass led the field and research team and authored the report.
- ◆ OFCO won its case against Pacific Seafood/Coast Seafood requiring the giant corporation to get a permit to operate in Quilcene Bay. Northwest Watershed Institute and Center for Responsible Forestry received modest payments under a structured environment program as a part of the settlement. Pacific/Coast is still in negotiations with the Washington Department of Ecology on its permit to operate in Quilcene.
- ◆ OFCO won its 2022 legal challenge to require the U.S. Fish and Wildlife Service to do a new Biological Opinion on the Habitat Conservation Plan and DNR managed timber lands. OFCO submitted major scientific literature review of recent science on murrelets, forests, watersheds, and climate disruption. U.S. Fish and Wildlife Service will publish its new opinion by June 2024.
- ◆ OFCO’s timber monitoring efforts supported major accomplishments locally in Jefferson County. Along with the Northwest Watershed Institute, the Center for Responsible Forestry, Port Townsend and Jefferson County Climate Action Committee, and the leadership of County elected officials and forester, Jefferson County has adopted an update to its 2012 Forestry Plan identifying major “legacy forests” that should be conserved with Trust Land Transfer program support, and the Natural Climate Solutions Act funding available this year to save 2,000 acres of legacy forests in the state. DNR’s preliminary list of forests to save include over 400 acres of Jefferson County legacy forests.
- ◆ Although it’s been a long haul on the Wild Olympics, we are still very hopeful that it passes out of the Senate committee and on to the Senate floor while President Biden is still in office. We owe such gratitude to the incredible dedication and perseverance by Senator Patty Murray, Representative Derek Kilmer, and their corresponding staff. And, of course, we’d never reached this point without the tremendous support of all of you.

Thank you for your continued support. We hope you consider us once again for an end-of- year donation. Your voice matters to us and to the forests, rivers and wildlife!

Connie Gallant / Board President and Dr. Patricia Jones / Executive Director

### ADVOCACY HIGHLIGHTS IN 2023

#### OFCO Wins Clean Water Act Case to Protect Quilcene Bay

Early this year, OFCO and Coast Seafoods Company (Coast) reached an agreement to conclude the lawsuit filed by OFCO in 2016 alleging that Coast was operating its oyster hatchery in Quilcene without a permit required under the Clean Water Act. Although the Washington Department of Ecology had determined that Coast did not require such a permit, the Court agreed with OFCO that one was required under Federal law.

Coast agreed to apply for a permit in settlement of the lawsuit and expects to receive a permit in the near future. Ecology issued the draft permit last fall and is reviewing public comments. As a part of the settlement, two local nonprofit organizations working to save Hood Canal watersheds received funds to continue their excellent local conservation efforts. The Northwest Watershed Institute received funding to protect Dabob Bay and Hood Canal, and the Center for Responsible Forestry received funding to support its advocacy for the protection of legacy forests in watersheds draining into Hood Canal.

OFCO thanks Paul Kampmeier and the other attorneys at Kampmeier & Knutsen, PLLC, for their support and legal expertise which made this important development possible. OFCO also thanks the Rose Foundation for Communities and the Environment; with their support, OFCO’s experts and engineers were able to provide invaluable input to the litigation and permit process. This lawsuit would not have been possible without the monitoring data provided by the late JD Gallant.

#### U.S. Fish and Wildlife Agree to Reinitiate Consultation for Owls and Bull Trout on State Lands



OFCO won a critically important legal challenge that will require both the Washington State Department of Natural Resources and the United States Fish and Wildlife Service to comply with the Endangered Species Act and commitments to protect ecosystems of the Olympic Peninsula. In July 2022, OFCO brought the challenge in federal court to the 2016 DNR OESF Land Plan. The Plan greatly reduced protections under the Habitat Conservation Plan and increased threats to critically threatened species, such as the Northern Spotted Owl (NSO) and Bull Trout. Forest harvests, invasive species, and climate disruption were not considered in The Plan.

The legal challenge is about accountability and following the best available science. The Service provided the State with a 70-year “Incidental Take Permit” (ITP, updated for Marbled Murrelet in 2019 and ending in 2067) to “take” Northern Spotted Owls (NSOs) and Bull Trout by logging and road building, but only based on the State’s existing commitment to adapt to new science and conditions to protect threatened species. The State hasn’t met the HCP standards – and the U.S. Department of Fish and Wildlife and the Department of Justice agreed.

NSOs are rapidly declining; the scientific consensus is that Barred Owls, an invasive species, are a leading threat to NSOs and the mitigation provided by associated habitat protections. The Service is now developing a policy to manage Barred Owls. Water quality is paramount for Bull Trout, particularly stream temperature. The impact from climate disruption on stream temperature, drought, vegetation and habitat generally was not included in the 1998 Bull Trout Biological Opinion that underpins the Habitat Conservation Plan. OFCO remains concerned that, for years, DNR has failed to implement the protections outlined in the HCP. The 2016 OESF Land Plan routinely provides less protective buffers than those required by the HCP.



OFCO's challenge meant that the US Fish and Wildlife Service and the Department of Justice agreed to "reinitiate consultation". This is the remedy the Endangered Species Act allows to change Habitat Conservation Plans when new conditions or scientific information arise. The Service will develop a new Biological Opinion over 18 months and will take into account the latest scientific data developed by DNR. DNR's objectives to maximize revenue take precedent for the agency. DNR generally earns 25-35% of the revenue from timber harvests. The needs of "income beneficiaries" (state schools construction fund, local county essential services and roads), generally earn a small portion of timber sales revenue. Conservation organizations, ecologists, and scientific information both from Washington, and other like habitats outside the country such as British Columbia, will be critical to ensure the Biological Opinion encompasses all current available science. Dr. Catharine Copass leads OFCO's science and negotiation team in the litigation, and Wyatt Golding of Ziontz Chestnut, LLC represents OFCO.

## OFCO Board Member Reviews Murrelets at Sea

Karen Sullivan, OFCO Board Member and retired U.S. Fish and Wildlife Service (USFWS) Marine Biologist, reviews hundreds of science articles, literature, and agency biological opinions on marbled murrelets, narrowing the focus to a gap in forestry policy where 90 percent of their life cycle plays out: in marine waters. Sullivan looked particularly at the most recent science available on climate disruption and increasing sea temperatures.

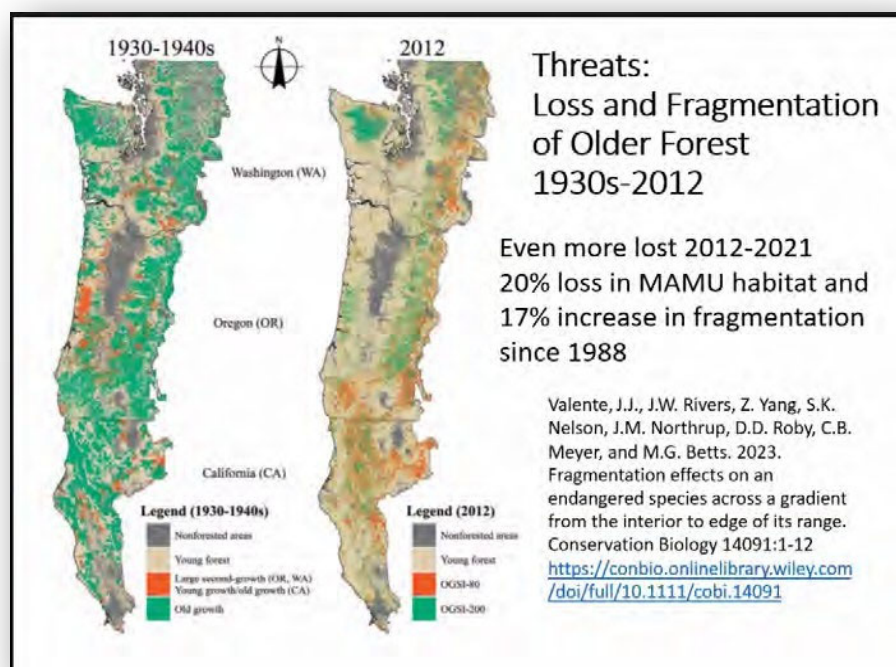
The marbled murrelet (*Brachyramphus marmoratus*) is unique; no other bird feeds in the ocean and commutes such long distances inland to nest sites in older forests. Murrelets are found throughout coastal Washington, Oregon, Northern California and Alaska, in preferred association with lower-elevation old-growth forests with well-developed epiphytic mosses. Small, solitary, and secretive birds with cryptic plumage and a fast flight speed, murrelets nest on the largest limbs of coniferous trees up to 50 km inland from the ocean and return to coastal waters to forage for food.

By far the largest contiguous areas of murrelet nesting habitat remaining in Washington are located on the Olympic Peninsula; of this total acreage the Olympic National Forest provides nearly 30 percent, the Olympic National Park 43 percent, with the rest (28 percent) managed or owned by state, tribal and private entities. In this latter category, however—where much of the best old-growth habitat remains—the rate of habitat loss has been 10 times greater than on federal lands.

Due primarily to extensive timber cutting over the past 190 years, up to 90 percent of marbled murrelet nesting habitat in Washington, Oregon, and California has been destroyed. More than 9 percent of murrelet nesting habitat on state lands, and 37 percent on other nonfederal lands, has been harvested over just the past 20 years.

OFCO advocates for protection of murrelet habitat both in marine waters and on land, especially to protect older forests where the best habitat is found. FWS should urge DNR to protect all older forests.

Sullivan's work is indispensable for the restart of consultation and the new biological opinion process underway in the USFWS.



## Managing carbon for climate change: OFCO's participation in the Forest and Trees Greenhouse Gas Inventory by the joint Jefferson County and Port Townsend Climate Action Committee Forest Working Group

Jefferson County and Port Townsend's joint Climate Action Committee has taken the first important step toward measuring the amount of carbon captured by forests and trees located in their jurisdictions.

This initial step was a two-year project to quantify and assess trends in carbon removal by forests and based on this information, recommending actions for managing forests to optimize their carbon sequestration function.

The groundwork was laid in 2007, when Jefferson County and Port Townsend local governments established the Climate Action Committee to lower greenhouse gas emissions in their jurisdictions. The latest effort included joining the ICLEI organization (Local Governments for Sustainability (<https://iclei.org/>), formerly International Council for Local Environmental Initiatives) to access their resources and programs. The CAC efforts overall resulted in successfully completing four important inventories:

- ◆ the 2005 Community Carbon Emissions,
- ◆ the 2018 Carbon Emissions,
- ◆ the 2020 Greenhouse Gas Community Emissions Reduction Opportunities,
- ◆ the 2021 Forest and Trees Greenhouse Gas Inventory and Next Steps (2001-2016).

OFCO Board Member Dr. Catharine Copass and Dr. Patricia Jones, OFCO Executive Director, participated in the forest inventory work group, led by Cindy Jayne, CAC chair and Forest Working Group Convenor. Environmental Engineer Cyndy Bratz, Jefferson County staffer Kevin Hitchcock, and Chickadee Forestry's Mallore Weinheimer also contributed their expertise.

Globally, more than 2,500 local governments subscribe to ICLEI; across the U.S. members include New York City and "red" and "blue" counties from Whatcom to Miami-Dade, FL. In Washington, Bellingham, Tacoma, Olympia, Spokane and several forested counties are members.





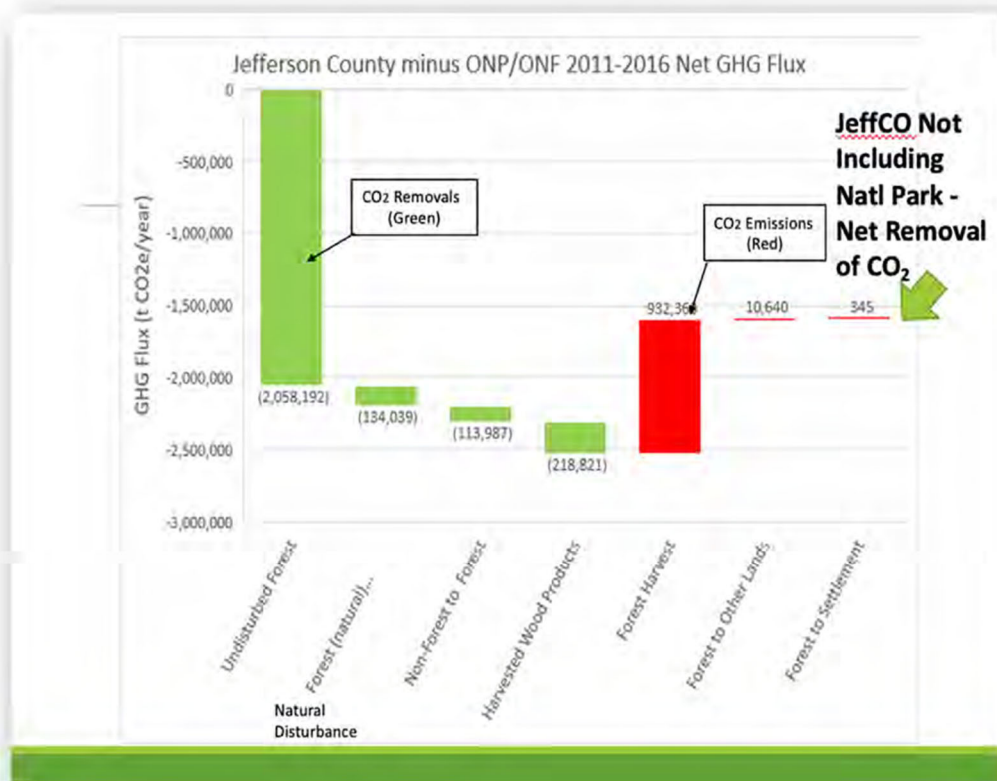
ICLEI hosted a training program on the forestry carbon inventory “Learn Tool” in 30 U.S. jurisdictions in 2019-20, including Jefferson County. Our local CAC’s forest carbon modeling team spent two years gaining expertise in these protocols and then made recommendations for next steps. Here is what we found:

- ◆ Jefferson County forests are some of the best in the US for removing CO2 from the atmosphere
- ◆ There is a large variation in the per-acre rate of carbon removal depending on ownership, harvest levels and amount of forested land. Undisturbed forests provide the highest levels of carbon removal.
- ◆ The older the forest, the larger the volume of carbon storage.
- ◆ The City of Port Townsend forests and trees have been increasing in CO2 removal over the last 15 years, but there was a 1 percent tree canopy loss in the 2011-2018 timeframe.

**Next steps for Jefferson County**, adopted by the CAC as recommendations:

- ◆ Work with DNR to do trust land transfers or reconveyance to County ownership for significant forested tracts
- ◆ Fund and expand County forestry program to include carbon management on County lands
- ◆ Support forest management on private lands through education and policy that maximizes carbon storage: help educate private timber landowners on forest management practices that promote carbon sequestration.

See the full report and recommendations at: <https://www.co.jefferson.wa.us/638/Documents>



*Dr. Catharine Copass and Forestry Working Group Convenor Cindy Jayne presented the results of the study to the Washington Conservation Action 2023 Carbon conference in November 2023. The study was well received. Our thanks to Washington Conservation Action for their great partnerships with local advocates, with OFCO, and stellar work on the Natural Climate Solutions Act that is changing the face of our landscape and environmental movement.*

### Collaborative Adopts Framework for “Over 80” AMA Stands in ONF

The Olympic Forest Collaborative is a group of timber and environment stakeholders who work with Federal officials to achieve shared goals: ecologically and economically sustainable management of the Olympic National Forest.

The Olympic Forest Collaborative, with staff support from OFCO and Resilient Forestry, designed a tool to analyze the 122,000 acres of the over 80-year-old “Adaptive Management Area” (AMA) stands — a category constituting 20 percent of the ONF’s total acreage. Under the Northwest Forest Plan, these stands are eligible for harvest. Resilient Forestry’s Allison Rossman and Miles LeFevre led the project through development of the unique tool.

The project began with a literature review updating the 2015 Science Synthesis for the Northwest Forest Plan and incorporated the latest science in a decision tree that balances the competing interests and values of the Collaborative. It helps Collaborative members to explore the use of a science-based and informed decision framework that identifies forest health treatment options in stands over age 80 in the AMA. The decision framework allows non-technical stakeholders and the public to “look over the shoulder” of the forester and understand the stand condition, options, and set goals based on Collaborative values. The Collaborative will use the decision framework when it works with the ONF on timber sales in AMA stands. OFCO and Resilient Forestry will apply the framework to the Canyon Forest Restoration Project, being developed by the ONF, and currently at the scoping stage of NEPA review.



The Northwest Forest Plan allows for timber sales and harvest in AMA stands, but OFCO hopes to protect stands that have reached late seral stage – complex, mature forests—and to identify stands that need forest health treatments even though they are over 80 years old. See information at: <https://olympicforestcollaborative.org/>



*Resilient Forestry Team in the field. OFCO and the Collaborative thank Resilient Forestry for their great contributions to ecological forestry.*



It is an honor to have your dedicated support all these years. It is our hope that you recognize the progress our small, but mighty, organization has made, and continues to do so, to protect our beautiful forests, rivers, and wildlife. Please **consider giving generously** to us before the year ends. We are a nonprofit, tax deductible organization that relies on your donations.

***Sincere thanks to you from the Olympic Forest Coalition Board Members and Executive Director:***

Peggy Brutton, Dr. Catharine Copass, Connie Gallant, Marcy Golde, Dr. Fayette Krause, Rae Deane Leatham, Jill Silver, Karen Sullivan and Toby Thaler. Dr. Patricia Jones, Executive Director.

*OFCO thanks the wonderful partners making a difference in how public natural resources and lands on the Olympic Peninsula are managed today:*

- 10,000 Years Institute
- American Whitewater
- Center for Responsible Forestry
- Earth Law Center
- Kampmeier and Knutsen, PLLC
- Legacy Forest Defense Coalition
- Mason County Climate Justice
- North Olympic Sierra Club
- Northwest Fund for the Environment
- Northwest Watershed Institute
- Olympic Climate Action
- Olympic Forest Collaborative
- Olympic Park Advocates
- Resiliency Forestry
- The Harder Foundation
- The Seattle Foundation
- Washington Conservation Action
- Washington Forest Law Center
- Washington Lands Group
- WA Wild
- Ziont Chestnut, LLC

