



Chapter 1

Background

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development

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Background



In this chapter, DNR states the purpose, need, and objectives of this proposal, provides background information about the affected area and state trust lands, and describes the development of this environmental impact statement. DNR's purpose, need, and objectives are described in more detail in Chapter 2 of this FEIS.

Purpose, Need, and Objectives

■ Proposed Action

The action proposed by the Washington Department of Natural Resources (DNR) is to develop and implement a forest land plan for the management of state trust lands in the Olympic Experimental State Forest (OESF). A forest land plan is a document that defines, for a planning area such as the OESF, *what* DNR wishes to achieve and *how* it will achieve it. Along with developing the forest land plan, DNR also will update existing procedures as needed and develop a new procedure for salvage of timber after natural disturbance events such as wind and fire.

The proposed forest land plan will be based on current DNR policies including the *State Trust Lands Habitat Conservation Plan* (HCP) and *Policy for Sustainable Forests*¹ as well as all applicable local, state, and federal laws. Authorized under the Endangered

Species Act (16 U.S.C. 1531 et seq.), the HCP is a long-term management plan that describes, in a suite of habitat conservation strategies, how DNR will restore and enhance habitat for threatened and endangered species such as northern spotted owls, marbled murrelets, and salmon in conjunction with timber harvest and other forest management activities. The *Policy for Sustainable Forests* guides DNR’s stewardship of 2.1 million acres of forested state trust lands.

DNR cannot change its policies through this forest land planning process. Refer to Chapter 2 for more information.

■ Purpose of the Proposed Action

The purpose of the proposed action is to **determine how to implement the management approach and conservation strategies for state trust lands in the OESF described in the HCP while also meeting DNR’s fiduciary responsibility to provide revenue to trust beneficiaries through the harvest and sale of timber.** DNR’s management approach in the OESF is called “integrated management.” Refer to Chapter 2 for information on this approach.

■ Need for the Proposed Action

DNR needs to develop a forest land plan to meet the policy direction in the HCP and the *Policy for Sustainable Forests*.

- The HCP states that “DNR expects landscape planning to be part of the process for implementing conservation strategies” in each HCP planning unit, including the OESF (DNR 1997, p. IV.192).
- The *Policy for Sustainable Forests* states that “[i]n implementing Board of Natural Resources policy, the department will develop forest land plans at geographic scales similar to DNR’s *Habitat Conservation Plan* planning units” (DNR 2006, p. 45).

■ Objectives

DNR’s objectives for managing state trust lands in the OESF are based on the HCP and the *Policy for Sustainable Forests*. **The forest land plan must enable DNR to meet these objectives.** All of these objectives must be achieved in the context of the integrated management approach.

- Provide a **sustainable flow of revenue** through the harvest and sale of timber. The current sustainable harvest level for state trust lands in the OESF is 576 million board feet for the decade, as approved by the Board of Natural Resources (Board) in 2007. By selling timber for harvest, DNR provides revenue to its trust beneficiaries to meet its fiduciary obligations (DNR 2006, p. 9 through 16).
- Per the requirements of the OESF **northern spotted owl conservation strategy** in the HCP, restore and maintain northern spotted owl habitat capable of supporting

northern spotted owls on DNR-managed lands in each of the 11 landscapes² in the OESF by developing and implementing a forest land plan that does not appreciably reduce the chances for the survival and recovery of northern spotted owl sub-population on the Olympic Peninsula (DNR 1997, p. IV.86 through 106).

- Per the requirements of the OESF **riparian conservation strategy** in the HCP, “protect, maintain, and restore habitat capable of supporting viable populations of salmonid species as well as for other non-listed and candidate species that depend on in-stream and riparian environments” on state trust lands in the OESF (DNR 1997, p. IV.106 through 134).
- Per the requirements of the **multispecies conservation strategy** for state trust lands in the OESF, meet HCP objectives for unlisted species of fish, amphibians, birds, and mammals by implementing conservation strategies for riparian areas, northern spotted owls, and marbled murrelets, and additional site-specific conservation measures in response to certain circumstances (DNR 1997, p. IV.134 through 143).
- Implement the existing HCP marbled murrelet conservation strategy consistent with guidance provided in the “Memorandum for Marbled Murrelet Management Within the Olympic Experimental State Forest,” dated March 7, 2013 until the marbled murrelet long-term conservation strategy for state trust lands in DNR’s six Western Washington HCP planning units has been completed and approved (a copy of this memorandum can be found in Appendix F).
- Implement a **research and monitoring program** for state trust lands in the OESF in the context of a structured, formal **adaptive management process** (DNR 1997, p. IV.82 through 85).

DNR’s management approach and conservation strategies for state trust lands in the OESF will be described in more detail in Chapter 2.

Affected Area

■ What is the OESF?

The OESF is an experimental forest that was established in 1992 and designated in 1997 as one of the nine HCP planning units within the range of the northern spotted owl in Washington. In this final environmental impact statement (FEIS), “OESF HCP planning unit” has been shortened to “OESF.”

In addition to being an HCP planning unit, the OESF also is an independent sustainable harvest unit. As an independent unit, the OESF is assigned its own sustainable harvest level. The sustainable harvest level is the volume of timber to be scheduled for sale from state trust lands during a planning decade as calculated by DNR and approved by the Board (revised code of Washington [RCW] 79.10.300), and represents the amount of timber that can be harvested from state trust lands sustainably in the framework of current laws and DNR policies.

■ Where is the OESF?

The OESF is located in western Clallam and Jefferson counties on the Olympic Peninsula. It is bordered approximately by the Pacific Ocean to the west, the Strait of Juan de Fuca to the north, and the Olympic Mountains to the east and south (refer to Map 1-1³).

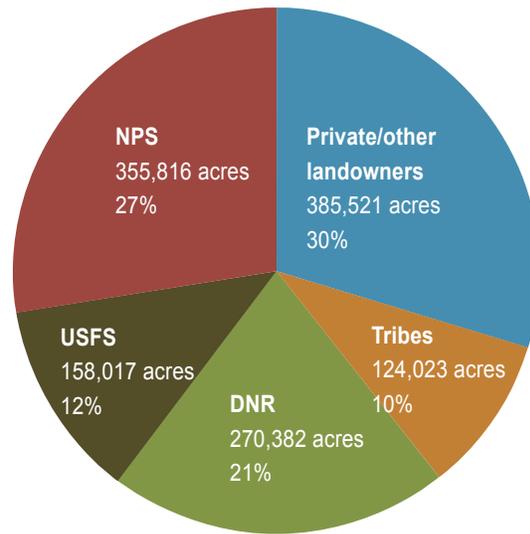
Map 1-1. OESF Vicinity Map



■ How Much of the OESF Does DNR Manage?

Because its boundaries were established largely along watershed lines, the OESF encompasses lands managed by DNR as well as the United States Forest Service (USFS), National Park Service (NPS), private landowners (including timber companies), tribes, and others. DNR manages 21 percent, or 270,382 acres, of the approximately 1.3 million acres of the OESF (refer to Chart 1-1).⁴ That total includes 3,008 acres of natural resources conservation areas, 504 acres of natural area preserves,⁵ and 266,870 acres of state trust lands (refer to “What Are State Trust Lands?” later in this chapter).

Chart 1-1. Land Ownership in the OESF



In this FEIS, the term “OESF” refers to the entire OESF HCP planning unit, which includes lands owned and managed by other landowners.

■ Will the OESF Forest Land Plan Affect Other Landowners?

DNR’s proposed forest land plan will not affect the management of lands owned or managed by other landowners in the OESF. **DNR’s forest land plan applies *only* to the management of state trust lands located within the OESF boundaries.**

■ What are State Trust Lands?

State trust lands are lands held as fiduciary trusts to provide revenue to specific trust beneficiaries, such as schools and universities. The majority of these lands were granted to the state by the federal Enabling Act (25 U.S. Statutes at Large, c 180 p 676) as a means of financial support, primarily for public schools and colleges (RCW 79.02.010(14)). Other lands were acquired by Washington from the counties; those lands are also held and managed in trust the same as the federally granted lands (RCW 79.02.010(13)). Of the current 5 million acres of state trust lands statewide, roughly 2 million acres are forested and 1 million acres are in agricultural production. The remaining 2 million acres are aquatic lands. On forested state trust lands, the primary means of generating revenue is the harvest and sale of timber.

As a trust lands manager, DNR must follow the common law duties of a trustee. Two of these duties were addressed in the 1984 landmark decision *County of Skamania v. State of Washington*: 1) a trustee must act with undivided loyalty to the trust beneficiaries

to the exclusion of all other interests, and 2) a trustee has a duty to manage trust assets prudently (DNR 2006, p. 15). Refer to the *Policy for Sustainable Forests*, p. 9 through 16, for a more detailed discussion of DNR’s trust management duties and the multiple benefits of state trust lands.

Environmental Impact Statement Development

■ What Were the Preliminary Steps?

In August 2007, DNR issued a “Determination of Significance and Request for Comments on Scope of Environmental Impact Statement for the Development of a Forest Land Plan for the Olympic Experimental State Forest.” This document determined that an environmental impact statement (EIS) would be required under the State Environmental Policy Act (SEPA) (43.21C RCW). Per SEPA, an EIS is required for a non-project action such as a forest land plan when that plan has the potential to have probable significant adverse environmental impacts. A non-project action is a plan, procedure, or policy that is not site-specific but provides direction for on-the-ground implementation. Non-project actions⁶ include the adoption of plans, policies, programs, or regulations that contain standards controlling the use of the environment, or that regulate or guide future on-the-ground actions (Washington administrative code [WAC] 197-11-704(2)(b)).

The Role of SEPA

The intent behind SEPA is to ensure that environmental values are considered during decision-making by state and local agencies (Ecology 2003).

DNR held three public workshops (one each in Forks, Port Angeles, and Port Hadlock, Washington) in June 2007 to discuss the proposed forest land plan. Public notices and press releases invited interested people to attend these workshops. In addition, personal invitations were sent to individuals and organizations interested in state trust lands management decisions. These stakeholders included recreation groups, environmental organizations, representatives of the timber industry and local communities, and trust beneficiaries.

About 50 people participated in these workshops. The attendees offered local information and expressed their concerns about state trust lands in the OESF. Participants listened to a presentation on the preliminary stages of planning and then shared information with DNR. Participants also discussed how they use the forest and presented their ideas about forest management activities in specific areas.

Project Scoping

DNR initiated the scoping process—defining the issues to be discussed in the EIS—in August 2007 by holding three public meetings. Like the public workshops, these meetings were held in Forks, Port Angeles, and Port Hadlock, Washington. During these meetings,

DNR heard comments regarding its management of state trust lands from concerned citizens and organizations. Their comments captured diverse and sometimes conflicting opinions and ideas. The comments were summarized by subject, and responses were provided in August 2009 (refer to Appendix B). DNR's professional judgment and careful review of the comments helped DNR focus the environmental analysis on areas of concern, eliminate less significant impacts from detailed environmental study, and identify reasonable management alternatives to be analyzed in the EIS. The opportunity to comment during the scoping process helped promote public interaction.

Draft EIS (DEIS)

Once scoping was completed, DNR prepared a draft EIS (DEIS). In this document, DNR analyzed each alternative to identify potential probable significant adverse environmental impacts. As part of this analysis, DNR also identified mitigation. DNR submitted the DEIS for comments from June 1, 2010 to July 15, 2010. Public hearings were held on June 16 in Port Angeles and June 17 in Forks.

Revised Draft EIS (RDEIS) and Draft OESF Forest Land Plan

Because of comments received on the readability of the DEIS and other issues, DNR decided to revise the DEIS to make it easier to read and understand and publish it as an RDEIS. The RDEIS was published in October, 2013. As part of this process, DNR developed a draft forest land plan for the OESF. The draft forest land plan, which was based on the Landscape Alternative, was provided to help the reader understand what a forest land plan is and the type of information it may contain.

DNR communicated with stakeholders, settlement partners, tribes, and the Federal Services (United States Fish and Wildlife Service [USFWS] and NOAA Fisheries) through meetings, teleconferences, and field tours while developing the RDEIS.

Response to Comments and FEIS

During the RDEIS comment period (October 31 through December 16, 2013), DNR received over 300 pages of comments from individuals, trust beneficiaries, timber organizations, conservation organizations, tribes, and government agencies. DNR held two public meetings:

- November 19, 2013, 6:30-8:30 pm, DNR's Olympic Region office in Forks, Washington
- November 21, 2013, 6:30-8:30 pm, Natural Resources Building in Olympia, Washington

A summary of the comments received and DNR's responses to them can be found in Appendix L of this FEIS.

In preparing this FEIS, DNR made a number of changes to the RDEIS text and analysis:

- In response to comments received on the RDEIS, DNR developed and analyzed a new action alternative called the “Pathways Alternative,” which is DNR’s preferred alternative. A description of this alternative can be found in Chapter 2.
- DNR shortened some background sections on state trust lands in this chapter because that information is readily available in other DNR documents such as the *Policy for Sustainable Forests*.
- DNR provided more clarity about the forest estate model used in this analysis (the analysis model) and the model DNR will use during implementation of the forest land plan for the OESF (the tactical model). DNR also expanded its explanation of areas categorized as deferred or operable in the model.
- Based on a re-analysis of the spatial data, DNR increased the total number of Type 3 watersheds in the OESF from 594 to 601, and increased the number of Type 3 watersheds with more than 20 percent state trust lands from 423 to 427.
- In Chapter 3, DNR clarified that Type 3 watershed boundaries often do not coincide with watershed administrative boundaries. Because Table 3-6 implied that they do, DNR removed it to avoid confusion.
- DNR removed the analysis of the riparian land classification from “Forest Conditions and Management” because impacts to riparian areas are analyzed in “Riparian.”
- Based on comments received on the RDEIS, DNR made significant revisions to its analysis methodology in “Riparian” for the No Action and Landscape alternatives. These revisions changed results for four indicators (fine sediment delivery, leaf and needle litter, riparian microclimate, and the composite watershed score). Detailed information about the revised analysis methodology can be found in Appendix G.
- Also in “Riparian,” DNR reversed the meaning of watershed scores. In the RDEIS, a low watershed score indicated a low impact and vice versa. In the FEIS, a low watershed score indicates a high impact and a high score indicates a low impact.
- DNR did not use intrinsic potential models to analyze potential impacts to fish for this FEIS because of comments received expressing concern about these models. Instead, similar to the fish analysis in the DEIS, DNR completed a qualitative analysis based primarily on the results of the riparian analysis. In “Riparian,” DNR analyzed a suite of indicators, each of which represents an ecosystem process that takes place in and around riparian areas. Together, these processes describe the numerous interactions that occur between in-stream, stream side, and upslope areas. The condition of the riparian ecosystem is the end-result of a variety of such processes, and their integrity can be used as a gauge of the riparian ecosystem as a whole. It is the condition and interaction of these processes that determine the amount, quality, and complexity of riparian habitat, and whether that habitat is capable of supporting viable salmonid populations and other species that depend on in-stream and riparian environments. Because of the change in analysis methods, the results of the analysis also have changed.

- Also in response to comments received, DNR added new information to “Climate Change” on how climate change may affect state trust lands in the future.
- DNR made minor clarifications, corrections, and improvements throughout the document to make the document easier to read and understand.

■ What are the Next Steps?

The final action in this process will be to adopt a forest land plan. DNR’s decision maker, the Deputy Supervisor for State Uplands, will consider the range of alternatives and associated, potential environmental impacts described in this FEIS and reasonable mitigation measures that DNR can implement. Although the final forest land plan may not be identical to any one alternative in this FEIS, it will fall within the range analyzed.

Because adoption of a forest land plan is not a policy-level decision, the plan does not require approval from the Board. The forest land plan for the OESF will be made available to the public once it is adopted.

Endnotes

1. For the HCP, visit http://file.dnr.wa.gov/publications/lm_hcp_plan_1997.pdf. For the *Policy for Sustainable Forests*, visit http://file.dnr.wa.gov/publications/lm_psf_policy_sustainable_forests.pdf.
2. A landscape is an administrative designation; refer to Chapter 3 for more information.
3. Refer to the state trust lands map (http://www.dnr.wa.gov/Publications/eng_rms_trustlands_map_nu2.pdf) for lands held in trust to support specific beneficiaries.
4. Acreage totals throughout this document are based on DNR’s GIS data that was current at the time of EIS development. DNR expects the land base to change over time as some lands are acquired and some are transferred out of trust status or to other owners. For example, areas with high conservation value may be transferred out of trust status and replaced with lands that can be managed primarily for revenue production. Or, DNR may consolidate state trust lands in certain areas to allow for more cost-effective management. To consolidate state trust lands, DNR often works with owners of adjacent lands to exchange their properties for parcels of state trust lands of equal value elsewhere.
5. Natural resources conservation areas often include significant native ecosystems and geologic features, archaeological resources or scenic attributes. Natural area preserves protect the highest quality native ecosystems and generally host more sensitive or rare species.
6. Future management actions depend, in part, on the decisions made during this planning process, but no specific on-the-ground activities are designed as part of this process.



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