



WASHINGTON STATE DEPARTMENT OF
Natural Resources

2007 Forested State Trust Lands¹
in the Columbia Planning Unit

Responses to Public Comments received during the
Scoping Process

April 18 & 19, 2007

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NOTE TO READERS

This document contains many references to state laws and codes. The laws are contained in the Revised Code of Washington (RCW), and Washington Administrative Code (WAC), and can be found in libraries throughout the state, as well as on the state of Washington website at www.wa.gov.

¹ DNR-managed Forested State Trust lands include: federally granted trust lands, State Forest Purchase trust lands, State Forest Transfer trust lands. Other forest lands within the planning unit include Natural Area Preserves (NAPs) and Natural Resource Conservation Areas (NRCAs).

The State Environmental Policy Act (SEPA) and details about the Washington Department of Natural Resources (DNR) SEPA office and Environmental Impact Statement (EIS) process can be found at www.dnr.wa.gov, by clicking on the SEPA link. The DNR website also links to the State Department of Ecology website.

I. Overview

The Washington State Department of Natural Resources (DNR) has unique obligations in managing state trust lands for the State of Washington. With the State as the trustee, the Legislature has designated DNR to manage federally granted state trust lands, and other trust lands acquired by the state. Washington acquired the granted trust lands from the federal government under the Enabling Act and the state constitution when it became a state in 1889.

DNR manages state trust lands primarily to provide revenue to specific public beneficiaries returning a profit to the people of Washington. Such lands provide needed revenue to construct and maintain Washington's public schools, universities, prisons, state office buildings, hospitals, fire departments and other public services in many counties. In addition, forested state trust lands also provide jobs, commodities, clean water, wildlife habitat and increasingly scarce recreational opportunities. Through the Multiple Use Act, the Legislature directed DNR to manage for multiple uses when they are not in conflict with Trust management obligations.

As steward of these lands and natural resources, DNR relies on a diverse staff of foresters, engineers, geologists, biologists, cartographers, hydrologists, soil scientists, economists, planners and others who contribute to the management of lands to achieve long-term productivity and revenue, as well as to create habitat and other conservation, education and recreation benefits.

Statewide, there are 2.9 million acres of state trust lands. DNR manages approximately 294,000 acres of forested trust lands and other forested state lands in the Columbia Habitat Conservation Plan (HCP) Planning Unit.

The Purpose of Forest Land Planning

Forest land planning is a process in which local issues (ecological, social-cultural, and economic) are identified in a specific planning unit; then specific management strategies are developed and applied to forested trust lands regarding those issues or ideas, and consistent with Board of Natural Resources and DNR policy.

Forest land plans are the next to end-result of the planning process, based upon HCP Planning Unit boundaries. These plans are used to implement DNR's policies and procedures, and provide guidance (in the form of strategies) for the final step in the planning process, DNR's on-the-ground forest management activities.

Initial Outreach in the Columbia planning unit

There were three stakeholder workshops held in November of 2006 to discuss forest land planning in the Columbia HCP Planning Unit. DNR sent out invitations to many organizations, user groups and interested parties; placed ads in the local newspapers; and sent news releases to alert the new media about the public workshop meetings in Longview, Cathlamet and Washougal. The workshops were held to discuss forested state trust lands located in Cowlitz, Lewis, Wahkiakum, Clark and Skamania counties. Meeting attendees included recreation users, environmental and timber industry organizations and others.

A total of about 20 people participated in the three meetings located in Longview, Cathlamet and Washougal. These participants heard a presentation on the preliminary stages of planning, and provided local information and concerns related to the state forested trust lands in this planning unit, recording information directly onto forest maps. Stakeholders shared how they use local forested trust lands and showed DNR representatives the specific areas where they have concerns about current or potential future forest management.

Columbia Environmental Impact Statement

DNR will develop an Environmental Impact Statement (EIS) for the Forest Land Plan in the Columbia HCP Planning Unit. The State Environmental Policy Act (SEPA) process was formally initiated with the 'Scoping Notice' released and sent out to numerous interests on April 9, 2007. It was followed with a series of public meetings that were held in the planning unit on the following dates.

April 18, 2007	Cowlitz PUD – Longview
April 19, 2007	Camas Public Library - Camas

II. Scoping Summary

Scoping is the first formal step in preparing an Environmental Impact Statement (EIS). It initiates formal public involvement in the planning process, and is conducted to fulfill a four-fold purpose:

1. Narrow the focus of the Draft EIS analysis to include only significant environmental impacts.
2. Eliminate issues that are not directly related to the Columbia planning proposal.
3. Identify the range of management alternatives to be analyzed in the Draft EIS.
4. Elicit potential mitigation from the public.

This scoping summary highlights a wide range of issues that commenters have identified as potentially important and related to the proposed Forest Land Plan.

It is important to note that under SEPA, only issues related to *probable significant environmental impacts* (WAC 197-11-794) will be addressed in the EIS.

This is a comment-response document that includes summaries of comments by 12 public meeting participants and 36 written letters which were submitted to DNR via mail and email. The comments capture diverse issues, ideas and opinions proposed for inclusion in the 'scope' of the Draft EIS. All comments have been summarized by subject, and examined to determine:

1. Whether the issues are germane to the Columbia Forest Land Plan for DNR-managed forested trust lands, and
2. How the comment about the issue will be addressed.

III. Summary of Comments Received and Responses to Them

A. ISSUES TO BE CONSIDERED IN DEVELOPMENT OF A FOREST LAND PLAN FOR FORESTED STATE TRUST LANDS IN THE COLUMBIA HCP PLANNING UNIT

TRUST DUTIES

Commenters requested a clear description of the 'trust mandate', policies and procedures, and how these ideals direct or drive trust management. Others wanted to know what specific trusts are benefiting from management within this planning unit.

Response: DNR trust forest management is governed by three dominant mandates (*The trust mandate, The 1997 Habitat Conservation Plan, and the 2006 Policy for Sustainable Forests*). These mandates will all be discussed in the Draft EIS as well as the specific trusts within this planning unit. Forest management strategies associated with meeting trust objectives will be assessed for potential environmental impacts in the Draft EIS.

ENVIRONMENTAL AWARENESS

DNR should understand that the value of a forest extends beyond returning revenue to trust beneficiaries. Consider carbon sequestration credits.

Response: DNR recognizes the many values of forests, and considers benefits on three different levels that will be discussed in the Draft EIS. These include economic benefits (resulting in revenue to trust beneficiaries); social-cultural benefits (such as recreation); and environmental benefits provided by implementation of our 1997 Habitat Conservation Plan and maintaining Natural Area Preserves (NAPs) and Natural Resource Conservation Areas (NRCAs) within DNR-managed landscapes, which provide additional highly protected habitat for numerous native plant and wildlife species.

In addition, Washington and other western states are participating in a federal grant to examine how the 2.1 million acres of forested state trust lands and 8.5 million acres of private forestland could be used to reduce greenhouse gas emitted by vehicles, electric power generated by fossil fuels, and other CO² sources.

As part of the Global Climate Change Initiative there is a study on “carbon sequestration.” Trees remove carbon from the air as part of their natural respiration and store the carbon in the wood as standing trees.

Companies that emit large amounts of greenhouse gases could purchase “carbon credits” from forest land owners to provide income, rather than having those trees cut to produce that funding source.

Carbon credits are one “ecosystem service” that also may provide the opportunity for additional revenues from trust land management.

PLANNING

Commenters are interested in a planning process resulting in a balanced approach to revenue, public use, conservation/preservation, and habitat. What is DNR trying to accomplish differently with this planning process? Is DNR going to consider the comments made by the public? What precipitated this planning process?

Response: When carrying out sustainable forest management, DNR’s objective is to balance management activities to address ecological, social-cultural and economic concerns. Forest Land Planning is designed to identify local issues, enabling DNR to develop specific strategies to direct on-the-ground management activities. Planning across the landscape helps DNR analyze potential cumulative impacts of projected future activities. Local participation is essential for forest land planning to work effectively.

The draft environmental impact statement (Draft EIS) will help DNR focus on the ecological elements of resource management.

DNR is seeking public involvement to help us address concerns in specific areas. The comments provided by the public and stakeholders during this planning process will be used to develop a range of reasonable alternatives to be analyzed in a Draft EIS and made available for additional public comment. Comments on the Draft EIS will help DNR finalize a preferred alternative for the planning unit. The preferred alternative will include a series of strategies for on-the-ground management.

STATE ENVIRONMENTAL POLICY ACT (SEPA)

Commenters said that the comment period was too short, resulting in very little time to review materials.

Response: By state law, a SEPA Scoping comment period is at least 21 days; however, DNR extended this comment period to 30 days. In addition, during October and November of 2006, prior to the official SEPA scoping process, DNR held public meetings (in which the participants identified issues and located those on large maps of the whole planning unit. DNR did this in order to gather information early in the process. These meetings were part of the preliminary planning stages, and were the first of many opportunities for the public to become involved in this very important process.

Once a draft environmental impact statement (Draft EIS) is published, the public will have another formal opportunity to comment. Documents will be available on DNR's website www.dnr.wa.gov.

REVENUE

What is the percentage of revenue from timber sales that goes to the school trusts? What is DNR mandated to provide? There should be perpetual economic flow from timber sales to local communities, smaller sales with local mills having the priority to bid on sales.

Response: Currently, 72 percent of the revenues from timber sales on school trust lands are designated for construction of public schools for grades K -12th. Revenue from other trust lands helps fund construction of the state's universities, other state educational institutions, and prisons. Additionally, revenue generated from other State Forested trust lands helps fund services in the county in which those lands lay, in addition to contributing to the state general fund, earmarked for education.

By law, all state trust timber sales are sold at public auction to the highest bidder, thereby ensuring the highest return to the trust beneficiaries. Because of this requirement, DNR cannot change how timber sales are sold. As a consequence we cannot develop a strategy to address the selling of timber locally.

Timber from trust lands is an important source of material for many local mills. The forest land planning process will improve our ability to provide a reliable, significant supply of timber.

NATURAL AREA PRESERVES AND NATURAL RESOURCE CONSERVATION AREAS

Commenters want recognition of ecologically sensitive areas. The Aldercrest slide should be designated as a conservation area so it is not logged.

Response: Natural Area Preserves (NAP and NRCA) are acquired through gift or purchase from willing sellers. In the case of state trust

lands, the fair market value paid for those transferred to natural area status helps DNR acquire replacement properties for the trust.

Most of the natural area preserves were initially identified, inventoried and proposed for protection by the Washington Natural Heritage Program.

Selection criteria for Natural Resource Conservation Areas (NRCAs) are based on considerations established by the legislature in the NRCA Act, including native ecosystems, habitat for endangered, threatened and sensitive plants and animals, and scenic landscapes. Once an NRCA site has been reviewed and approved by DNR, a public hearing is held to obtain public comment on a proposed boundary. The final boundary is approved by the Commissioner of Public Lands.

The Aldercrest slide area has been reviewed by DNR in the past and although the area is very important to local residents, it was found to be lacking conservation values that would qualify it as a resource of statewide significance.

Forest land planning for the Columbia HCP unit is a nonproject proposal. Site-specific project actions will be made in the future but under forest land planning, will not include selection of NAP or NRCA's since the selection as described above is not under our planning purview.

GEOLOGY

Commenters thought there should be more attention paid to the lay of the land when setting up timber sales because logging should not occur on steep slopes. Others thought there should be longer geologic review regarding trust land proposals.

Response: Foresters work with geologists to identify and delineate potentially unstable slopes as part of the timber sale layout process. Management activities are generally not proposed in landslide-prone areas with a high risk of adverse impacts to public resources or public safety. If operations are proposed on potentially unstable slopes, a Licensed Engineering Geologist must conduct a detailed assessment of proposed activities and evaluate the potential for management-related slope movement and adverse effects on public resources and public safety.

Foresters and geologists use on-site field review, as well as models, and landform maps to assess landslide potential in areas where forest management activities such as timber harvesting and road construction are proposed. The models and maps are continually being developed and updated to provide foresters with accurate information regarding slope conditions and landslide potential.

When needed, DNR mitigates for slope stability issues through specific agency procedures, such as excluding an area from harvest, when conducting project specific actions like timber sales.

All timber sales go through a detailed approval process to ensure that all proposed activities are consistent with state forest practices rules.

LAND TRANSACTIONS

DNR should address encroaching land development and their associated challenges through the Draft EIS process. Other comments asked that DNR buy lands owned by Longview Fiber, to prevent them from being sold for a housing development. Comments stated that DNR land trades were cheating the trust beneficiaries out of higher production areas by trading for lands that had been recently cut-over. Commenters wanted equal fairness in consolidating or trading of DNR-managed state trust lands. Commenters also want DNR to consider the long-term value when purchasing, transferring or trading lands. Others want DNR to discuss land ownership and opportunities to “block up” scattered parcels.

Response: Land transactions and encroaching land development will be addressed in the Draft EIS. Land exchanges (which must trade lands of equal value) are done to enhance the value of state trust lands or to allow for more efficient management of the 'state trusts' land base. DNR sometimes transfers or sells property, and purchases replacement property in order to diversify trust assets, to consolidate lands, or to improve access to other trust lands. Large tracks of consolidated forest land are easier to manage. In all land transactions, DNR examines the land's long-term potential and is required to ensure that the interests of the trusts are protected for current and future citizens of the state.

COLUMBIA RIVER GORGE NATIONAL SCENIC AREA

Comments were received asking DNR to apply Special Management Area guidelines to all remaining DNR-managed state trust lands within the National Scenic Area; these guidelines are designed to protect scenic, natural, cultural and recreation resources. Others want specific details for how DNR will manage in the scenic area and include this information in the Draft EIS. They also would like DNR to evaluate the impacts that the plan will have on the scenic area and the Pacific Crest Trail. Still others want DNR to protect the trails and scenic vistas within The Gorge.

Response: DNR's management within the scenic area will be analyzed in the Draft EIS with consideration given to visual and recreational concerns.

WILDLIFE HABITAT

Commenters want DNR to consider “graduated logging” as a way to protect habitats. Others want DNR to consider migration paths for animals, from eagles to elk herds. Citizens want to know the detrimental side effects and impacts of logging, destruction of habitat, and clear-cutting. Others don't believe the best available science is being used in regard to the northern spotted owl; they believe it is the destruction of habitat that is killing the owls.

Some think that habitat restoration could be improved by bringing in hunting and conservation groups to help with the planning process. Others are interested in strategies that will produce the most benefits for wildlife and citizens.

Response: Management strategies related to wildlife and their habitats will be addressed and evaluated in the Environmental Impact Statement. Interested parties will have another opportunity to comment on DNR's approaches once a Draft EIS is prepared.

FISH AND RIPARIAN HABITAT

Commenters believe that protection of riparian areas is important and specific riparian delineation should be mentioned in this document. Others are concerned that straight riparian buffers have a larger windthrow factor than feathered ones and DNR should only consider a feathered approach in riparian areas. Commenters also would like more harvest areas within the riparian areas reforested. Others are concerned about fish and would like impacts to them addressed. There is also an interest in a discussion on how old-growth structures along rivers provide beneficial habitat.

Response: Impacts to riparian areas, fish and to other aquatic-dependent species from management activities will be examined in the Draft EIS. A key component of the 1997 Habitat Conservation Plan (HCP) for forested state trust lands is the Riparian Conservation Strategy, developed by DNR and approved by the federal services, that guides our management of forests along rivers and streams to protect water-dependent species. In the strategy, riparian management zones (RMZs) are established on all salmonid bearing streams and along many small non-fish bearing streams. This commitment, combined with wetland protection in the Riparian Conservation Strategy, directs the management objectives on about one-third of all state lands managed under this HCP.

The management goal for riparian management zones is defined as, "the restoration of high quality aquatic habitat to aid in federally listed salmon species recovery efforts, and to contribute to the conservation of other aquatic and riparian obligate (dependent) species." To achieve this goal, DNR will use a combination of various types of active management within forest stands, and natural development of unmanaged stands. This will result in the restoration of structurally complex riparian forests that provide the ecological functions to meet the conservation objectives.

As DNR conducts harvesting activities and implements the riparian restoration strategy windthrow is one of many factors considered as part of the harvest design.

This Draft EIS is considered a 'non-project' proposal, which means this proposal will guide the development of a series of connected actions like timber sales with associated riparian restoration components. Impacts that can be identified at this level of planning will be analyzed in the Draft EIS. Actual on-the-ground activities, such as those timber harvests, will be examined as project proposals under SEPA, and will have public and environmental review at that time of the proposed action.

FOREST HEALTH

Commenters believe a discussion on forest health issues and proposed management solutions would be beneficial.

Response: In 2006, DNR prepared a forest health report to review issues such as disease and fire that affects DNR forests. The review process included public outreach.

See www.wadnr.gov:81/htdocs/rp/forhealth/2006highlights/index.html for more information. This effort may be used in the Draft EIS to augment discussions related to forest management. DNR will determine if there are any gaps in the report that may need additional discussion. DNR also will address forest health at the time of any future individual timber sale proposal.

NOISE

Commenters are concerned about noise pollution from mining, road building and timber harvesting.

Response: This proposal will govern the development of a plan covering a range of connected actions or activities. Activities may include: surface mining, road building and timber harvesting. Potential impacts that are identified at this level of planning will be analyzed in this Draft EIS. Specific activities occurring within the planning area in the future will undergo additional site-specific environmental review, if required, at the time they are proposed. Although, DNR does sometimes require specific mitigation in our contracts, noise regulations are administered by the Department of Ecology under Chapter 173-60 WAC.

OLD GROWTH

Commenters would like DNR to consider ecological and cultural values in identifying old-growth stands. They also would like to see as much as 25 to 30 percent in older-forest conditions for the Columbia planning unit instead of 10 to 15 percent. Others just don't want any logging activities in old-growth stands.

Response: DNR created a policy for old-growth stands in western Washington (except in the Olympic Experimental State Forest) which states that the department will defer from harvest old-growth stands

(stands 5 acres and larger that originated naturally, before the year 1850), in order to help meet DNR's 1997 *Habitat Conservation Plan* (HCP) and regulatory requirements, older-forest targets, and social/cultural values. Forest land planning is designed to build on those decisions. In 2004, the Board of Natural Resources in Resolution 1110 directed DNR to achieve a target of 10 to 15 percent older-forest conditions in each westside Planning Unit, as defined by the 1997 HCP. DNR will analyze in the Draft EIS its ability to meet conservation and development commitments for older forest conditions.

ROADS

Commenters want DNR to discourage additional road building. Others believe that roads should be addressed from a variety of perspectives: environmental management, capital asset, and recreational opportunities. A discussion of past problems and solutions as well as future road management activities is appropriate. One commenter thought a good description of the Access Road Revolving Fund would be useful too.

Response: Impacts that can be identified at this level of planning will be analyzed in this Draft EIS. Road building activities will occur within the planning area in the future, but are not identified with the degree of certainty that allows for meaningful analysis at this scale of planning. The impacts of roads will undergo additional site-specific environmental review, when required, and involve public input at the time they are proposed.

A discussion of the Access Road Revolving Fund will be included in the Draft EIS.

ACCESS

Commenters are concerned about the lack of public access to DNR-managed forested state trust lands in the Toutle Valley. Others want DNR and the state Department of Fish and Wildlife to work together to gain access for hunting in the Toutle Valley. Some felt that illegal activities were responsible for the lack of public access and they are interested in more awareness on this subject.

Response: Recreation and access, along with related illegal activities as they relate to environmental damage will be analyzed in the Draft EIS.

MARKETING

Timber sale types: lump sum sales vs. scale sales; stumpage vs. log sort sales, regeneration harvests, partial harvests, and variable density thinnings should be generally addressed. Some Commenters thought economic consideration should be given to rural towns.

Response: Discussion of timber sale types is outside the scope of the Draft EIS, because this proposal is not site specific. Site-specific timber sales undergo SEPA review as they are proposed for harvest.

As a brief discussion: There are three basic methods of selling timber: lump sum, scale sales, and log sort sales.

- *'Lump sum'* sales make up the majority of timber sales on forested state trust lands. In a lump sum sale, the purchaser buys all the of the designated timber products, commonly referred by purchasers as "camp run". *Camp run* (a type of lump sum) sales are those in which a purchaser offers the highest bid price they will pay on a per thousand board foot basis for the entire product described to be sold (as above). It is the responsibility of the purchaser to make his or her own evaluation of the timber sale based upon the information provided in the DNR pre-sales package. As with every sale type, DNR sets the minimum opening bid, based upon an agency appraisal of the material to be sold.
- *'Scale sales'* are those in which the estimated volume of designated product is bid upon and the per thousand board feet stumpage value is set at public auction. The successful purchaser pays DNR (the trusts manager) based on the actual volume removed as the sale is being logged.
- On *'log sort'* sales, DNR performs a timber cruise of an area where harvesting is to occur. DNR determines the estimated volume and value by species and by log grade, based upon current log selling prices. DNR then auctions the various log sorts that could be removed from the area at public auction. The successful bidder for each log sort is determined by comparing the delivered log price to be received at the delivery point against the cost of hauling the logs to the delivery point. DNR seeks the highest net return per thousand board feet for each log sort. DNR contracts, through a competitive bidding process, select contractors to harvest and haul the trees to the companies that have been selected to receive the various log sorts.

DNR cannot give local timber purchasers preferential treatment; by law, all timber sales are bid competitively and sold to the highest bidder per WAC 79.15.050.

The environmental impacts from different harvesting techniques (variable density thinnings, regeneration activities) will be analyzed in the Draft EIS.

GENERAL ECOLOGY

Commenters want all of the topics listed in the scoping notice to be addressed in the Draft EIS (public use, cultural resources, visual management, area regulation, habitat reserves, transition lands, forestry, silviculture, general land management and rights-of-ways).

Response: These topics will be addressed in the Draft EIS.

CONSERVATION

There was an interest in opportunities for biomass projects; production of biomass is a growing industry as interest in sustainable fuel sources is growing. Others expressed concerns with global warming impacts. Some Commenters want DNR to manage similar to US Forest Service, which provides for a spectrum of uses: recreation, old-growth, conservation and producing revenue for current and future generations.

Response: Discussion of biomass projects is outside the purpose and need of this proposal. DNR continues to examine many business opportunities, but has not made any decision regarding participation in the biomass industry.

DNR manages state trust lands under legal mandates that differ from the parameters set for the US Forest Service and federal lands. Land management responsibilities were delegated to the DNR's predecessor agencies at statehood in 1889 and early in the 20th century, but the US Forest Service is to manage its lands for multiple purposes and is not expected to generate revenue for any specific beneficiaries (although any additional money is used to improve their lands and facilities). DNR managed state trust lands provide diverse habitat— including old growth and complex old forest structure—many different recreation opportunities, as well as generating between 150 and 200 million in revenue for public schools and universities on an annual basis.

SILVICULTURE

Commenters are concerned with monocultures due to the lack of diversity in newly established forest stands. Others would like a discussion of the silvicultural aspects of trust land management and how advanced technology will be applied to augment efficiencies and enhance revenue production. Commenters are interested in lists of what is actually considered to be the best available science for logging. Others want to eliminate hardwood conversions due to habitat needs and recreational enjoyment.

Response: A discussion on silvicultural techniques will be included in the Draft EIS.

HARVEST LEVELS

Commenters are interested in a discussion of anticipated timber harvest levels for the plan's life, and why those harvest levels are important to trust beneficiaries.

Response: The Draft EIS will include a "discussion of the harvest levels for the plan's life and a discussion of why it is important".

VIEWSHEDS

Forested state trust lands surrounding towns should not be harvested because of aesthetic concerns. Commenters were also interested in protection of the Merwin Swift (North Fork Lewis River) corridor because of its beauty along with harvesting activities adjacent to the Ocean Beach Highway.

Response: DNR will consider whether there are visual impacts of management activities and, where needed, will design appropriate mitigation strategies based on an assessment of whether impacts are of local or regional significance. Visual management considerations will be part of the Draft EIS. Site-specific visual impacts will be considered at the time of a specific harvest activity.

TRIBAL CONCERNS:

Local Tribes have expressed an interest in working with DNR to gain access to their usual and accustomed areas to collect certain materials. Another concern is that the trees species mix chosen for replanting does not represent the natural species mix originally occurring across the landscape.

Response: DNR maintains government-to-government relations with the 29 recognized Indian Tribes residing in the state of Washington as well as those non-resident Indian Tribes who have ceded treaty rights within the state of Washington. The department works toward collaborative relationships and good communication with Tribes in all its programs.

The department recognizes the Tribes' separate rights and authorities and commits to work to resolve problems, and to develop relations at all levels of the department to assure good communication and availability of technical and policy expertise. The Centennial Accord was established in 1989 through the governor and the signatory tribes. As a separately elected official, the Commissioner of Public Lands chose to also recognize the department's relationship with Washington's sovereign tribes with an official Commissioner's Order on Tribal Relations. The order serves as the department's overall tribal relations policy and commits the department to conduct relations with the tribes as one government to another.

The species mix chosen for replanting after a stand is harvested depends on many site specific factors. This topic will be discussed further in the Draft EIS.

RECREATION

Commenters enjoy the recreational opportunities provided by the agency but feel it could be better. Others want DNR to explore additional recreational opportunities on state trust lands. Concerns were raised about how wildlife is affected by motorized uses. Others want to see more camp hosts. Commenters believe there is an added value with tourism and recreation dollars, which are often negatively affected by timber harvesting. Still others think DNR should consider revenue possibilities associated with recreational opportunities. Others don't want DNR clear-cutting across hiking trails. There also were suggestions for no clear-cutting within 5 miles of recreation camps.

Response Recreational opportunities and their impacts will be analyzed in the Draft EIS.

B. ISSUES AND CONCERNS WITHIN DNR PURVIEW, BUT OUTSIDE OF THE PLANNING PROCESS.

ILLEGAL ACTIVITIES

Commenters want a larger law enforcement presence on DNR-managed lands.

Response: A larger presence requires additional funding from the legislature, which cannot be addressed in this Draft EIS.

Forest Operators: Commenters want DNR to beware of logging companies who practice bad forest practices.

Response: DNR Timber Sales contracts contain standards of performance expected by operators on the trust lands timber sales. DNR's state lands staff ensure that activities are consistent with the contract and applicable forest practices standards.

The state Forest Practices Rules prescribe how to conduct forest practices such as logging, road building, and applying chemicals in ways that protect public resources. When operators or landowners do not follow the rules, a Department Forest Practices forester issues enforcement orders and may also issue a civil (monetary) penalty. A civil penalty most often is issued when the violation caused significant environmental damage, when an operator or landowner does not comply with the Department's enforcement orders, or when the operator or landowner has a history of repeated violations. All civil penalties become final orders of the Department unless appealed.

Forest practices include, but are not limited to, activities such as:

- Operating equipment
- Driving log trucks
- Tree planting
- Vegetation management
- Timber harvesting
- Forestry consulting
- Supervising forestry activities
- Certain firefighting activities

Forest Practices: Commenters would like a discussion of the difference between the proprietary and regulatory side of DNR. How does DNR regulate itself and ensure consistent enforcement of its own forest practices rules and regulations? There are concerns with enforcement of the forest practices rules claiming that an eagle-nesting tree had been harvested at night. Citizens also expressed concerns about illegal logging of buffers around towns and on unstable slopes. Others thought that replanting of logged areas was a good idea.

Response: Forested trust lands are covered by the Washington forest Practices Rules, as are other Washington State forest landowners. DNR Forest Practices policies and procedures ensure that the regulations are applied and enforced by staff who are completely separated from any involvement with the proprietary side of the agency. In fact, it is mandated that DNR state lands be treated the same way that any other landowner/land manager would be treated. In addition to meeting the requirements under the Forest Practices Rules, the proprietary (land owner-manager) group completes a State Environmental Policy Act (SEPA) checklist for Class II, and III timber sales even though statutorily it is not required. All Class IV special state timber sales are processed through SEPA by the regulatory Forest Practices Division of DNR. Any suspected violations of the Forest Practices Act should be reported to DNR Forest Practices.

C. ISSUES AND CONCERNS THAT FALL OUTSIDE FOREST LAND PLANNING, OR DNR PURVIEW.

Land Transactions: There are concerns about a trust land transfer to the City of Kelso, know as the Jacobsen Transfer, which should not be logged.

Response: This land is not state trust land, and DNR does not manage it.

Alternate Fuels: DNR and their contractors should be required to use alternate fuels.

Response: This is outside of the purpose and need for this proposal. An agency directive from the Commissioner would be needed to accomplish this request.