



King County
Rural Forest Commission

**Minutes - King County Rural Forest Commission Meeting
Thursday, May 17, 2018, Preston Community Center**

Commissioners Present: Nate Veranth, forest landowner (Chair); Andy Chittick, forest landowner/sawmill operator; Grady Steere, Campbell Global; Dick Ryon, rural cities; Daryl Harper, forest landowner; Monica Priebe, Green River College; Brandy Reed, King Conservation District.

Guests: Steve Horton, rural forest landowner

King County DNRP Staff: Richard Martin, Water and Land Resources Division (WLRD); Bill Loeber (WLRD); Wendy Sammarco (WLRD); Kathleen Farley Wolf (WLRD); Eric Beach (WLRD); Ted Sullivan, (WLRD)

Chair Nate Veranth called the meeting to order at 8:39a.m.

Motions

Motion 1-0517. That the minutes of the March 15, 2018 meeting be approved with amendment to add Brandy Reed to list of Commissioners present. Dick motioned, Monica seconded and the motion passed unanimously.

Motion 2-0517. To have Eric Beach move forward with seeking approval from DPER and the Executive's Office for the recommended code changes, as amended. Monica motioned, Dick seconded and the motion passed unanimously.

Motion 3-0517. To adjourn the May 17, 2018 meeting. Monica motioned, Dick seconded and the motion passed unanimously.

Chair Report (Nate Veranth)

Nate reminded Commission members that recruitment will soon begin for new members to fill the vacancies that will be created after Nate, Rex and Dick rotate off in September. Richard noted that the vacancies will open up slots for Commission members who can represent professional foresters, rural cities and forest land owners who own more than 40 acres. Monica and Dick volunteered to serve on an interview team for prospective new members. Dick emphasized the need to recruit members that have a strong background in forest management rather than forest protection. Since Nate and Rex will be vacating the positions of Chair and Vice-chair, respectively, there was discussion about the roles and responsibilities of those positions. Nate stressed that although there were definite obligations that come with the positions, the investment

of time was not onerous. Brandy noted the loss of institutional memory when members rotate off the Commission and she would recommend that the Commission explore opportunities to continue engagement. Although some Commissioners expressed interest, there were no volunteers or nominations from Commission members present, so the task of identifying replacements will be taken up during the July meeting.

FSC Certification of County Lands (Nate Veranth)

During the March 15, 2018 meeting, the Commission had previously authorized the Executive Committee to draft a letter in support of expanded certification (motion 3-0315). Rex drafted the letter and it was reviewed/edited by Nate and Bernie; all members present were in support of Nate transmitting the letter as written (no motion needed).

Proposed Code Changes (Eric Beach)

Eric described the process to adopt proposed code changes. DPER is responsible for maintenance of King County Code, so all proposed revisions must pass through that department. Karen Wolf, Executive's Office, John Taylor, DNRP and a DPER representative will review the proposed slate of changes to ensure compliance with the County's Comprehensive Plan and other guiding documents before presenting something for Council review. Eric will meet with Randy Sandin at DPER to chart out a strategy and timeline. Turnover within DPER and the Executive's office will delay review and action on proposed.

Monica and Andy identified several confusing aspects of the proposed changes and Eric provided clarification. Andy also raised a question about the prohibition of storing vehicles in accessory buildings, which is proposed for expansion from 200 to 400 square feet, and whether that would be interpreted to include logging equipment/machinery/tools; additional clarification is needed. Dick suggested removal of the trail provision exemption (KCC 21A.146). There was significant discussion about the need to ensure that proposed language fully captures the wishes of the Commission and Eric noted that there will be opportunities to review the language as it is revised during the adoption process.

Brandy reminded commissioners that they still need to propose a clear approach to allow forestry practices on lands that are not covered under state Forest Practices regulations. Eric urged the Commission to adopt the approach taken by the Noxious Weeds program, which is to allow activities without a permit if those activities adhere to a set of accepted best management practices; KCD would play a role in developing those BMPs. Eric also noted that approved forest management plans should afford landowners with similar code relief as realized by farmland owners with approved farm management plans.

Recommended changes to the code tables definition of forestry (KCC 21A.06.531) and expansion of exempt accessory building size (KCC 16.02.240) are relatively straightforward. Other issues, like temporary farmworker housing and permit exemptions for activities with 150 feet of structures will need further work. Monica motioned to move forward with recommended code changes, as

amended, Dick seconded. Motion passed unanimously. Eric committed to returning in September to provide the Commission with an update on progress.

King County Current Use Taxation (Ted Sullivan)

Ted manages the County's CUT programs, which is staffed by Bill Bernstein and Megan Kim. Ted noted that state law (RCW 84.34) establishes the requirement for Counties to set up Current Use Taxation programs. There are four programs in the County's program: Designated Forestland and Farm and Ag are managed by the Assessor's Office, Timberland and Public Benefits Rating System (PBRS) are managed by DNRP. To increase program efficiency, DNRP is proposing to combine the Timberland and Forestland programs, as recently allowed under state law. There have been no recent applications for Timberland enrollment as most landowners get the same, or greater, benefits from enrolling in PBRS, so the proposed merger is not expected to generate opposition.

Approximately 223,500 acres are currently enrolled in Designated Forestland, which is a decline of about 40,000 from the peak. Some of the "lost" acreage has been purchased by government agencies, some has transferred into the PBRS program and some has been developed. Lands enrolled in Designated Forestland must be managed for commercial production while lands enrolled in PBRS provide open space benefits. Both programs can provide significant property tax savings to land owners. Forestland is valued at standard state forestland values, which can be significantly less than current assessed value, especially in areas with development potential. PBRS provides a percentage reduction in tax based upon range of benefits provided. Approximately 10% of lands enrolled in Forestland and Timberland can be non-harvestable but still qualify for program coverage ("incidental use"). Incidental acreage includes rivers, wetlands, rocky outcrops, etc.

Landowners who enroll in PBRS are required to obtain forest stewardship plans. PBRS encourages adjacent landowners to apply together. Once lands are enrolled in any of the programs, they stay in the program unless they are out of compliance. At the time lands are sold, the new owner is given the option of staying in the program. If he/she opts to stay in the program, a new management plan is typically required.

Daryl stressed that PBRS/CUT is critically important to small forest landowners and there needs to be an effort to market the program more widely.

DNRP processes about 60 applications for PBRS each year. Properties are monitored for compliance on a regular basis, typically by reviewing recent aerial imagery or on-site if properties are sold. PBRS applications are processed through County Council whereas Forestland applications are processed administratively by the Assessor's Office. Approximately 20 of the 60 PBRS applications are landowners wanting to reclassify from Designated Forestland or Farm and Ag.

Penalties for withdrawing from PBRs and the Timberland programs are equal to 7 years savings plus interest with an additional 20% penalty if the land was not enrolled for at least 10 years. Forestland penalty is based upon total tax savings with a maximum penalty equivalent to the last 10 years of savings. Daryl noted that although the penalty is significant, it is not a major deterrent to landowners who have plans for major development.

Presentation by Agriculture Commission Chair and Vice-chair (Leann Krainick, Amy Holmes)

Leann provided a brief summary of Ag Commission membership and recent priorities. The Ag Commission recently began to rotate meeting locations around the county, which has been well received by Commission members as well as the public. Recent Commission accomplishments included a significant slate of code changes, individual review of farmland preservation proposals and Fish-Farm-Flood. The Ag Commission recently gave a presentation to the County Council Planning, Rural Services and Environment Committee, which is chaired by Kathy Lambert and was well received. The Commission was given over an hour to discuss Commission accomplishments and agricultural challenges; Leann encouraged the RFC to do something similar. The Ag Commission is planning for a Council field trip to view farmland around the county, which is expected to be a good opportunity to further educate Council members about the agriculture community.

There was discussion about how the challenges of farmers and forestland owners are similar and Daryl noted that both Commissions were really not that different...both are focused on growing and harvesting crops. Increasing communication between the two commissions would be helpful and provide opportunities to benefit from lessons learned.

Patrice reminded Commission members that there has been talk over the past few years about joint Agriculture and Rural Forest commissions. Dick agreed that regular joint meetings would be beneficial. Nate suggested that as an interim step he could join Rex and Bernie and attend an upcoming Ag Commission meeting; Leann and Amy both encouraged them to do so.

Public Comment (Nate Veranth)

No public comment

Agency reports and announcements

Brandy (KCD) reminded Commission members that KCD is beginning the process to develop the next 5-year work plan to cover the time period 2020-2025 ("Theory of Change Project"). Andy is the RFC representative on the KCD Advisory Committee and Dick is on the KCD Board; both will be engaged in the planning process. Brandy will frequently update the Commission as the process unfolds and will need Commission engagement to help identify issues and priorities. KCD will eventually want RFC support for the next work plan and a proposed new system of rates and charges. The planning process should be completed by July 2019.

Concerns of Commissioners

2018-2019 Meeting Schedule and Potential Meeting Topics

Due to time constraints, this topic was not discussed in depth. Richard offered to solicit meeting ideas from Commission members and bring the list of ideas to the July meeting. The following potential topics were raised during the meeting:

- Explain trail corridor (KCC 21A.146) and adverse possession
- Timber theft
- Educating landowners about PBRs/CUT

The meeting was adjourned at 11:32 a.m.

Next meeting

The next meeting will be held on July 19, 2018, at the Preston Community Center.