



King County
Rural Forest Commission

Minutes - King County Rural Forest Commission Meeting Thursday, July 14, 2016, Preston Community Center

Commissioners present: Nate Veranth, forest landowner (Chair); Doug McClelland, Washington Department of Natural Resources; Rex Thompson, forester; Daryl Harper, small forest landowner; Andy Chittick, forest landowner/sawmill operator; Amy LaBarge, forest ecologist; Steven Mullen-Moses, Snoqualmie Tribe

Guests: Michael Brathovde, Friends of Rock Creek Valley; Mike Lasecki, King Conservation District

King County Staff: Chris Ricketts, Randy Sandin, Kristi McClelland and Linda Vane

Chair Nate Veranth called the meeting to order at 8:35 a.m.

Motions

Motion 1- 0716 That the minutes of the May 7, 2016 meeting be approved as revised. The motion passed unanimously.

Chair Report

Nate Veranth reminded the commission that a number of technical questions had been raised about the conservation easements that the county had been acquiring under various programs. He passed out a list of questions based on discussion at the May meeting and asked members to add questions to the list. Michael 'Murph' Murphy, the Land Conservation Program Manager, Water and Land Resources Division, would be invited to a future meeting to address the commission's questions.

Public Comment

Michael Brathovde spoke.

Proposed revisions to the Rural Forest Commission Policies and Procedures

Linda Vane, Commission Liaison

Linda distributed draft revisions to the commission's Policies and Procedures Guidelines that were first developed by the commission in 1998 and amended in 2015. She asked the commission to review the document and be prepared to discuss changes at the September meeting. She also asked the commission for input on a traditional commission practice of introducing issues that required a vote in one meeting and taking the vote in a second meeting. The commission determined that this practice was not necessary.

Linda also reported that the commission's Executive committee proposed to change the meeting schedule to allow for meeting more frequently than every other month. The commission discussed various options. There was interest in meeting via video conference during the months in which there is not regularly scheduled meeting on an "as needed" basis.

Action: A final decision will be made at the September 8 meeting. Staff will research the options for recording and transcription of electronic meetings and confirm what is required by the Open Public Meetings Act.

Proposed ordinance concerning fireworks

Chris Ricketts, Fire Marshal, Department of Permitting and Environmental Review

Chris presented an overview of a proposed ordinance that would put fireworks under the purview of the King County Fire Marshal. This would give the Fire Marshal the option of banning the discharge of fireworks in exceptionally dangerous weather conditions. The proposed ordinance would also align county code with state regulations, said Chris. The Executive transmitted to Council in May and to date there had been no action on it by Council, he said.

Following last year's drought the Council received a lot of complaints and asked the Executive to work on legislation regarding fireworks, Chris said. He explained that fireworks in the past were not as powerful different as those that are available now.

Chris described the factors that determine when a burn ban is called and explained the scope of a burn ban, which under current code would typically prohibit burning for land clearing, yard debris or agricultural purposes. He provided a number of statistics on fire incidents reported by fire departments that wholly or in part serve unincorporated areas. These departments reported that of a total 210 fires in 2015, 35% were associated with fireworks, a dramatic increase from 2014 to 2015, according to Chris. The county's capacity for responding to complaints about fireworks use is limited, he said. There are two to three enforcement staff in the Fire Marshal's office, which leaves the Sheriff's office to respond to most of the complaints.

A discussion ensued. Among the commission's comments were the following:

- Increased population density in forested areas has increased the risk presented by fireworks.
- Having professionals presenting public fireworks performance is a different cultural experience than setting off fireworks at home.
- It would be important that the average person understand the reason for fireworks to be banned.
- If there is no ability to enforce, the legislation may not be effective.
- By and large people would be reasonable and realize that if the Fire Marshal says discharging fireworks is a risk, they will understand.
- Fireworks that shoot into the air and go onto other people's properties are a problem. Fireworks that stay on the ground are of less concern.
- There are restrictions already on setting off fireworks in the Forest Production District. Public education is needed to ensure awareness.

Chairman Nate Veranth proposed that the commission to think more about the proposed ordinance and provide additional input at a later date.

Proposed code revision related to soft surface trails

Randy Sandin, Resource Product Line Manager, Department of Permitting and Environmental Review

Randy provided background information explaining that in 2009 Department of Permitting and Environmental Review (DPER) developed a programmatic permit for backcountry trails with King County Parks that proved to be an efficient way to permit trail construction in the parks system. Subsequently the Parks programmatic permit was used as a template to create programmatic trail permits for Washington Department of Natural Resources and for the Evergreen Mountain Bike Alliance on the Snoqualmie Forest, he said. This has proved to be an effective tool for large scale permitting but DPER has had a difficult time making it work for small forest landowners.

The primary obstacle to streamlining permitting for soft surface trails on small lot private forests has been the County's stormwater management manual, according to Randy. He explained that the manual was not designed with resource lands in mind and at times has been difficult to adapt to resource uses.

Randy went on to say that the County had approved an adjustment in the manual that allowed DPER to use the Forest Service Standards to ensure full dispersion of any runoff from the trails. The programmatic permits for the County Parks system and other land holdings could thus be permitted without going through stormwater review, which made the permits less expensive, he explained.

Randy said that DPER had not been successful in working out a blanket exemption for trails approval under the 2016 stormwater manual for small lot forests. He said that DPER would continue to work on an exemption in code for soft surface trails on small lot private forests. Given the Council's schedule, such an amendment would be a year away.

Meanwhile, Randy explained, DPER would develop a set of guidelines for an element in Forest Stewardship Plans for soft surface trails. There is currently an exemption in code for trails associated with such plans, he said. The trail guidelines would be based on the existing stormwater manual adjustment for trails and conditions in the Parks programmatic permit. Randy also discussed the possibility of creating a low cost, over the counter permit for soft surface trails on small lot forested properties that did not have an approved Forest Stewardship Plan during the coming year.

An extensive discussion followed. Randy responded to questions from the commission about trails.

Randy also addressed a question that had arisen regarding discrepancies in King County Code. Randy said that in relation to the 2016 Comprehensive Plan update, DPER was asked to look at whether county code supported food production. They found some fairly major structural problems with the zoning code that had to do with categories like "retail" and "resource" land use categories that were created in the 1990's and have since been added to and amended. For example, he said, manufacturing is not an allowed use on land zoned for Agriculture, but in the code animal slaughter is included under manufacturing. In response to discrepancies such as this, DPER worked with the Agriculture Commission to develop a new, comprehensive definition of Agriculture that is currently under consideration by Council as part of the Comprehensive Plan update.

Randy explained that the same kind of discrepancies occur in code related to forestry. For example, he said, sawmills are in the manufacturing land use table, but manufacturing is not allowed in the forest zone according to the land use tables. He cited a similar disconnect affecting the sale of products by sawmill operators. Randy suggested that the commission consider bringing all of the elements of forestry into a single zoning code table or into a limited set of tables. The first step would be for the commission to develop a comprehensive definition of the term forestry. He said that the central question to ask would be "what do you want to do on your forest land? Would it be more than growing trees?" He also recommended that the commission consider how forestry is changing in developing its definition.

A discussion ensued.

Action: The commission will develop a definition of "forestry" to be used by DPER in developing new land use tables for King County Code.

Staff and Agency Reports and Announcements

King Conservation District (KCD) – Mike Lasecki reported that the KCD had launched its new Forest Health Management Program, which would provide forest management technical assistance to landowners with 1 to 5 acres of forest on their property. Analysis had shown that some 11,000 parcels with about 45,000 acres of forest cover, met that criterion. The KCD planned to encourage a cooperative approach where small forest landowners work together to manage forest across multiple properties, he said.

Mike announced that the KCD had won a grant from the Washington Conservation Commission to promote the Firewise program. The KCD would be collaborating with the King County Forestry Program to promote wildfire risk reduction practices among small forest landowners.

The meeting was adjourned at 11:30 a.m.

Next meeting

The next meeting will be held on September 8, 2016, at the Preston Community Center.

Commission Liaison:

Linda Vane

linda.vane@kingcounty.gov