

Dear Chairman Blake and members of the Agriculture & Natural Resources Committee:

We write on behalf of our combined memberships to express our collective appreciation for your modification to Engrossed Senate Bill 6140, and for your attentiveness to our concerns. We respect all the stakeholders involved and take seriously the interests they expressed, and we want to make clear the foundation on which our perspective stands.

Across generations and many decades, the state has managed our state trust lands with the intent to support rural communities, comply with state and federal laws, and preserve a key part of our heritage. This is a living asset that the state stewards on behalf of *all the people* of our great state. Our public lands are cherished and heavily utilized by vast numbers of people for recreation, inspiration, and the clean water and other products of a healthy landscape that set Washington apart. We fully recognize the legitimacy of generating trust revenue by management of these lands, including extractive activities. But we reject any view that would subordinate to extraction much of the value the public gains from these lands, and put them at risk of mismanagement or even transfer to private entities that would lock the public out.

We are aware of and alarmed by proposals like this in some other Western states. But in Washington such consideration is altogether out of step with the sentiments and interests of the public.

The framers of the Washington Constitution uniquely directed that the lands granted to the state be managed for *all the people*, distinguishing them from a traditional trust. The argument that state lands are not a traditional trust, e.g., one that requires undivided loyalty, holds particularly for State Forest Lands, which are under a statutory trust. Counties acquired these acres generally in abused condition a century ago through tax default by private owners. It was beyond the means of the counties to properly reforest and manage them, so the state has done so on their behalf according to statutes. The nature of the relationship is fully within the Legislature's prerogative. Some of Washington's most popular places are State Forest Lands, including Blanchard, Tiger Mountain, and Capital State Forests. These are not places to be managed for maximum timber revenue in disregard for the other benefits they provide, economic and otherwise. And there are real economic benefits that accrue to communities from outdoor recreation, so these lands contribute to local economies through means other than timber harvest.

Within our view of the legal context of state lands, the state as trustee has broad discretion to balance the interests of all the trusts, including the public trust. The issue of arrearage on the recent Sustainable Harvest Calculation is one in which the Board of Natural Resources (BNR) exercised that discretion on a complex matter and reached a reasonable approach.

Similarly, the BNR appropriately exercises its discretion to balance interests through the State Lands Habitat Conservation Plan, a prudent means to keep management in compliance with the federal Endangered Species Act (ESA). While some conveniently blame the ESA for job loss and lower harvests, we note that the decline of forest-related

species towards extinction is the result of past over-harvest, and that economic challenges have multiple causes. Biodiversity conservation is a legitimate objective that needs to be addressed alongside community needs including underemployment and lack of adequate funding for services in rural areas. We want to approach these dual problems with optimism and creativity to see if both can be ameliorated. In this we support the Commissioner of Public Lands' aspiration to address the marbled murrelet with balance between DNR's fiduciary responsibilities and obligations to the public's wildlife.

We recognize that balancing these challenging obligations is anything but easy, and requires patience, study and forbearance. We appreciate that your committee applied these in the instance of SB 6140. Current and future generations of Washingtonians deserve such consideration.

Sincerely,

Mitch Friedman, Executive Director
Conservation Northwest

Ben Greuel, Washington State Regional Director
The Wilderness Society

Yvonne Kraus, Executive Director
Evergreen Mountain Bike Coalition

Mike Petersen, Executive Director
The Lands Council

Katherine Hollis, Conservation and Advocacy Director
The Mountaineers

Thomas O'Keefe, Ph.D., Pacific Northwest Stewardship Director
American Whitewater

Tom Uniack, Executive Director
Washington Wild

Peter Goldman, Director and Managing Attorney
Washington Forest Law Center

Jesse Piedfort, Chapter Director, Washington State
Sierra Club

Matt Little, Executive Director
Cascade Forest Conservancy

Dan Nordstrom
Outdoor Research