



Appendix A: Progress on Actions Identified in the 2009 RFC report

RURAL FOREST COMMISSION REPORT (2009) PROGRESS

- Significant and sustainable progress
- Progress made but more to be done
- No significant progress

Progress assessment completed September 10, 2020, by King County staff.

PUBLIC FORESTLAND

	Recommendations	Accomplishments
<input checked="" type="checkbox"/>	Fund active stewardship of County-owned forestland for forest health and sustainability.	Launched “ecological forestry” program with initial focus on hardwood-dominated uplands and conifer plantations; over 500 acres treated since 2009, plan to treat additional 1,000 acres by 2025; include impacts of climate change in stewardship plans.
<input type="checkbox"/>	Support public agencies in stewarding forestland.	Collaborate with DNR on management of Rattlesnake Ridge; exploring opportunities for forest carbon on DNR land.
<input checked="" type="checkbox"/>	Hire full-time forester for the Parks system.	Dedicated 1.5 FTE (0.5 FTE PPM III, 1.0 FTE PPM I with additional capacity provided by other WLRD forestry staff and forestry consultants).

LARGE TRACT PRIVATE FORESTLAND

	Recommendations	Accomplishments
<input checked="" type="checkbox"/>	Partner with DNR and land trusts for permanent protection of remaining large forest tracts not under easement.	Approximately 8,000 acres added to Parks portfolio. LCI has identified 21,000 acres of forestland for protection by 2048.
<input checked="" type="checkbox"/>	Monitor compliance with management standards outlined in easements.	County-held forest easements monitored regularly.
<input type="checkbox"/>	Promote public understanding of commercial timber production and encourage use of local wood.	Included in general messaging.
<input checked="" type="checkbox"/>	Encourage forest stewardship planning and active forest management to discourage forestland conversion.	King County and KCD prepare over 50 forest stewardship plans each year for private forest landowners; PBRS and CUT protect forestland; King County Council adopting “no net loss of forest carbon” position.



Appendix A Continued

RURAL FOREST COMMISSION REPORT (2009) PROGRESS

Significant and sustainable progress

Progress made but more to be done

No significant progress

SMALL LOT PRIVATE FORESTLAND

	Recommendations	Accomplishments
<input type="checkbox"/>	Continue CUT for forestland and retain staffing level of 2 FTE in WLRD.	CUT for forestland is managed by Assessor's Office. WLRD has 2 FTEs dedicated to PBRS and supporting CUT. Of the more than 13,000 acres enrolled in PBRS, over 8,000 acres are forestland.
<input type="checkbox"/>	Provide forest stewardship classes and workshops for landowners including partnership with WSU Extension.	WSU Extension, KCD, and King County continue to collaborate and hold three coached planning classes each year (one in Preston, one elsewhere in rural King County, and one online); classes are typically at capacity. KCD uses local funding to support forest stewardship education.
<input type="checkbox"/>	Encourage landowners to manage forests for multiple values and require approved stewardship plans for permitting and cost-share.	Forest stewardship plans follow WA Integrated Standard template, which requires consideration of full suite of forest values; landowners are required to have an approved plan before receiving cost-share funding. Starting in 2015, KCD uses local funding to deliver forest planning services to landowners with <5 acres of forest.
<input type="checkbox"/>	Provide guidance to consultants and landowners who are preparing forest stewardship plans.	WLRD and Parks staff review King County forest stewardship plans and WLRD staff approve all forest stewardship plans required for PBRS enrollment; technical support is provided as needed by KCD (parcels < 5 acres of forest) and KC (> 5 acres of forest) foresters.
<input checked="" type="checkbox"/>	Facilitate community fire planning with Firewise.	King County and KCD collaborate on community plans and project implementation but capacity is limited. Starting in 2020, KCD utilizes local funding to deliver community wildfire risk management planning and individual landowner defensible space management services.



Appendix A Continued

RURAL FOREST COMMISSION REPORT (2009) PROGRESS

Significant and sustainable progress

Progress made but more to be done

No significant progress

SMALL LOT PRIVATE FORESTLAND (CONTINUED)

	Recommendations	Accomplishments
<input checked="" type="checkbox"/>	Provide landowners with permit guidance.	Dedicated permitting/regulatory specialist hired by WLRD.
<input checked="" type="checkbox"/>	Develop streamlined forestry regulations to ensure consistency and simplicity.	Continue to work with RFC to improve King County Code that challenges private forest management.
<input checked="" type="checkbox"/>	Cap costs of permits for forest practices as has been done with agriculture.	No significant action.
<input checked="" type="checkbox"/>	Establish forestry permit team to develop regulations that achieve policy objectives and minimize costs/barriers.	WLRD coordinates with Department of Permitting and Environmental Review/DNRP Ag and Forestry Permit Team, which addresses site-specific regulatory/permitting issues.
<input checked="" type="checkbox"/>	Develop strategies to support businesses that provide quality forest services.	No significant action.
<input checked="" type="checkbox"/>	Support at least 2 FTE dedicated to providing technical assistance.	3.75 FTEs currently dedicated to providing private forest landowner technical support: WLRD 1.5 FTE, KCD 1 FTE, WSU Extension 1.25.

	Other	
<input checked="" type="checkbox"/>	Educate cities, agencies and citizens about the value of forests.	Forests are a key component of LCI, which has been widely discussed; forest conservation and management a central theme in the 2020 SCAP.



Appendix A Continued

RURAL FOREST COMMISSION REPORT (2009) PROGRESS

Significant and sustainable progress

Progress made but more to be done

No significant progress

FUNDING RECOMMENDATIONS (SUPPORT INCENTIVE PROGRAMS, TECHNICAL ASSISTANCE, LANDOWNER EDUCATION, MANAGEMENT OF KING COUNTY FORESTLAND)

	Recommendations	Accomplishments
<input type="checkbox"/>	Dedicate Forest Excise Tax, State Forest Board Revenue from DNR, and Payment in Lieu of Taxes to forest-related programs.	King County receives approximately \$7 million per year in revenue from forestland each year, exclusive of property tax; DNRP receives approximately \$185,000 annually in General Fund support for forest programs.
<input checked="" type="checkbox"/>	Continue to use SWM fees to support forest programs.	Forestry programs are supported by approximately \$400,000 per year in SWM funding.
<input type="checkbox"/>	Secure Rural Schools and Community Self-Determination Act of 2000 (Title III).	Secure Rural Schools reauthorized 2018 through 2021; annual allocations to King County have declined annually.
<input checked="" type="checkbox"/>	King County forestland harvest receipts should support forest management activities.	Proceeds from timber sales on DNRP land are dedicated to forest health improvement projects.
<input checked="" type="checkbox"/>	Increase fee for PBRs applications.	Increased from \$240 to \$620. Fees cover approximately 10% of PBRs program expenses.
<input checked="" type="checkbox"/>	Increase KCD special assessment collections.	KCD uses local Rates and Charges funding to extend delivery of forest stewardship services to small acreage forest landowners.
<input type="checkbox"/>	Direct CUT early withdrawal fees to forestry services.	No action; state statute requires funds to be returned to original taxing authorities.



Appendix B: King County Public Benefit Rating System and Current Use Taxation Programs



King County Current Use Taxation programs provide tax incentives for voluntarily preserving farmland, forestland, or open space on private property.³⁶ Qualifying properties, or portions of properties, are evaluated for their “current use” value, as opposed to their “highest and best use” value that would otherwise be used to determine tax rates. Forest landowners interested in preserving forests for habitat or timber use are eligible for the Public Benefit Rating System, the Timber Land Program, or the Forest Land Program.

The Timber Land Program is intended for Rural Area- (RA), Forestland- (F), or Agriculture- (A) zoned properties with between 5 and 20 acres of forestland. Forests enrolled in the program must be designated for growth, harvest, and management of forest crops for commercial purposes. Landowners must have a forest stewardship plan developed in accordance with Washington State Department of Natural Resources guidelines³⁷ and approved by a King County forester. In addition to achieving landowner objectives, forest stewardship plans must address protection and/or enhancement of forest resource categories, extend 10 years or longer, and cover an entire forest ownership, including land that will be planted in the future. The Forest Land Program is intended for larger tracts of forestland (5 acres or greater) that are designated for growth and harvest of timber. Currently, work is underway in King County to combine these two programs and simplify the enrollment process for landowners.

The Public Benefit Rating System uses a point system to determine the current use tax reduction, with a 50% to 90% reduction in assessed land value for enrolled parcels. The program is intended to protect stream and wetland buffers, conserve farmland and native forest, protect groundwater, conserve habitat, and protect historic landmarks. Participating land must contain an identified open space resource and have potential for use or development that will be restricted by enrollment in the program. Open space resources and point systems are defined in the Public Benefit Rating System Resource Information Document.³⁸ Parcels enrolled in the program may be monitored via planned site inspections or landowner reports, as requested by program staff. Once enrolled, properties remain in the program until (a) the land is withdrawn or removed, (b) a change of use disqualifies some or all of the participating area, or (c) the property is sold, and a notice of continuance is not filed.

³⁶ <https://kingcounty.gov/services/environment/stewardship/sustainable-building/resource-protection-incentives.aspx>

³⁷ <https://your.kingcounty.gov/dnrp/library/water-and-land/forestry/WA-Integrated-Forest-Management-Plan-Guidelines.pdf>

³⁸ https://kingcounty.gov/~media/services/environment/stewardship/sustainable-building/documents/resource-protection-incentives/PBRS_Resource_Information_April_2011.ashx?la=en



Appendix C: King County Transfer of Development Rights

The Transfer of Development Rights³⁹ (“TDR”) Program allows participating landowners to sell development rights from their property to private developers, who then use them to build more compactly in participating urban areas. With this program, landowners achieve economic return on their property while maintaining ownership of the land and protecting it from future development.

The right to develop land for residential or commercial purposes is one of a bundle of rights associated with land ownership. The County’s TDR Program allows landowners of designated sending sites to separate the right to develop land from the bundle of other property rights. Sending sites are rural or resource land with farm, forest, open space, or regional trail amenities. Through TDR, the separated right(s) are turned into a tradable commodity that can be bought and sold—just as land can be bought and sold. When a landowner chooses to separate some, or all, development rights, the property is conserved through a conservation easement. A conservation easement can act to reduce landowner property taxes. Landowners can retain development rights on their property for future use and the land remains in private ownership.

These transferable development rights, or “TDRs,” are typically bought by developers of designated receiving sites. Receiving sites are typically urban areas eligible for increased density. The purchased TDRs give developers the ability to build additional houses that exceed the number allowed by the zoning base density. Revenue generated from the sale of forestland TDRs is dedicated to the purchase of easement or fee-title to Land Conservation Initiative priority land.

³⁹ <https://kingcounty.gov/services/environment/stewardship/sustainable-building/transfer-development-rights.aspx>





Appendix D: Forest Conservation Partners

The following conservation partners work in concert with King County to deliver forestry programming and services to forestland owners. Each provides unique sets of services consistent with the mission of the organization. Generally, the Commission has noted that forest stewardship services have become scarcer, while at the same time forest health issues are increasing. Compounding that concern is that some rural communities face the effects of a slowing local economy within a rapidly expanding residential landscape.

- **Consulting foresters and various stewardship nonprofit groups** provide a variety of technical and restoration services—each in specific areas of expertise and/or focus. Among the nonprofit groups are the Forterra, Mountains to Sound Greenway Trust, The Mountaineers, Friends of the Trail, Partnership for Rural King County, the Northwest Natural Resource Group, and Stewardship Partners. Many of these groups engage volunteers in important habitat restoration work on federal, state, and municipal forestland. Consulting foresters provide a wide variety of professional and technical forestry services to rural landowners for a fee. Available services are diverse, ranging from forest stewardship plan development to implementation of silvicultural activities for various goals, some of which include fire protection, timber value, wildlife, and forest health. King County foresters assist landowners in formulating a picture of recommended activities based on the landowner's goals. Foresters then advise landowners on how to best approach achieving the goals, whether it is landowners personally undertaking management activities or finding practitioners of services that fit their needs.
- **King Conservation District ("KCD")** helps jurisdictions, landowners, and residents steward their forests, street trees and open space to enhance wildlife habitat, reduce storm water runoff, and improve human health and well-being. KCD's Rural Forest Stewardship and Wildfire Resiliency programs provide technical assistance, forest stewardship planning, wildfire safety evaluations, forest fuel reduction projects, and funding opportunities for land managers with fewer than 5 acres of forest cover in unincorporated King County. KCD's Urban Forest Stewardship Program offers technical assistance, project management services, and project funding to member jurisdictions to support their urban forestry programs.
- **United States Forest Service ("USFS")** and **Natural Resources Conservation Service ("NRCS")** each have federal pass-through funds that come to the State Forester supporting stewardship through programs and cost share at Washington State Department of Natural Resources ("DNR") and cost share at NRCS. NRCS conducts soil surveys and conservation needs assessments to inform better resource conservation planning and provides technical guides and web tools to enhance conservation efforts. The USFS Cooperative Forestry program helps private landowners to prepare for wildfire, invasive species, pests, and disease, while also managing National Forest land for their own unique objectives. King County foresters are active in local working groups, providing guidance to those programs. King County foresters connect landowners with possible cost share and easement programs funded by County, state, and federal programs.
- **Washington State Department of Natural Resources** is a major partner with King County in acquiring both working and conservation forestland through land exchanges and land purchases. The model through which King County purchases a conservation easement and DNR manages the forest has resulted in many acres of retained forest in recent years. For example, the Raging River and Plum Creek exchange brings the total forestland to 36,000 acres that will remain in active forest management through such efforts. King County holds a conservation easement on 4,000 acres of the 7,000-acre Raging River Forest purchased by DNR from Fruit Growers Supply.



Appendix D Continued

The DNR Small Forest Landowner Office provides technical and financial assistance to help landowners achieve their land management objectives. Assistance options include the Family Forest Fish Passage Program, Forestry Riparian Easement Program and Rivers and Habitat Open Space Program. There is an additional program focused on forest health and wildfire risk reduction for eastern Washington forestland owners.

In addition to forest stewardship and conservation, DNR permits Forest Practices for Class II through IV-Special practices while King County permits forest practices for Class IV-General practices. DNR is responsible for wildland fire suppression and coordinates with federal agencies, local governments, and fire districts.

- **Washington State University** (“WSU”) Extension provides forestry research and technology transfer, serving as a conduit that connects landowners and practitioners to best available science. WSU provides outreach and educational program support, including workshops, technical bulletins, and comprehensive online resources for landowners. Online resources include information such as lists of consulting foresters, mobile sawmills, and forestry equipment suppliers. The forest stewardship coached planning classes are cosponsored by King County and WSU Extension. WSU depends on state and County funding to continue its forestry outreach and education programming.
- **University of Washington, College of Forest Resources**, provides cutting edge research and technology tools, and works collaboratively with WSU Extension to facilitate technology transfer and continuing professional education opportunities that support King County programs.

Tribes of King County

Native American Tribes were the original stewards of all King County forests and, to this day, have an important role in planning for and protecting forestland and associated resources. The Muckleshoot, Puyallup, Snoqualmie and Tulalip Tribes own over 45,000 acres of forestland in King County, including both reservations and land owned by Tribal corporations e.g., Muckleshoot Federal Corporation). Other Tribes in the region also maintain water, fishing, hunting, and gathering rights in King County, in accordance with treaties between the Tribes and the U.S. government. Tribes in King County engage with many governmental and private land managers, provide input into management decisions, and steward their own land to balance the sustainable harvest of salmon and timber while enhancing, protecting, and preserving cultural and natural resources.

Tribes are sovereign nations that pre-existed the United States. By entering into treaties with the United States, Tribes were not granted rights from the US, but instead reserved pre-existing rights to themselves. A Tribe’s right to use land, water, and resources pursuant to a treaty with the United States is often measured by the scope of the Tribe’s aboriginal use (subject to reasonable time, place, and manner restrictions). A Tribe’s right to use resources includes the right of reasonable access to travel to “usual and accustomed” areas on “open and unclaimed lands.” Thus, Tribes have a vested and legal interest in how public land is managed and also have the right to participate in land use decisions that potentially affect a resource of interest.



Appendix E: Legal Mandate for Forest Retention and Conservation

Following is the hierarchy of policies and regulations from the state down to the local level that provides the basis for King County's Forestry Program, Current Use Taxation ("CUT") programs, land acquisitions, and policies and regulations that affect forests.

State Legal Mandate. Under the Growth Management Act (GMA), the state requires King County to protect natural resource land and rural character. The Commission believes that simply identifying forestland of long-term commercial significance is not sufficient. The state requires the County to take action.

The GMA includes as one of its 13 planning goals: "Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands and discourage incompatible uses (RCW 36.70A.020)." The GMA sets other goals that relate to protection of forest cover, including to "protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water," "reduce sprawl," and to "identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance."

To achieve these goals, the GMA requires the designation of natural resource lands (RCW 36.70A.170) and the adoption of development regulations to ensure the conservation of these designated natural resource lands (RCW 36.70A.060). Land to be designated for forestry are defined as "Forestlands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber (RCW 36.70A.170)." To emphasize the importance of the protection of natural resource land, the designation and adoption of regulations to ensure their conservation was required to occur within a year after the GMA was passed by the Washington State legislature—well before the deadlines for most of the other provisions of GMA. The GMA also directs that rural character shall be preserved (RCW 36.70A.011).

Countywide Planning Policies. The 2004 King County Countywide Planning Policies (CPPs), the body of regional policies that provide a framework for the comprehensive plans developed by each jurisdiction in King County, include a series of policies to guide protection of natural resource areas. The Growth Management Planning Council is the interjurisdictional body in King County that made many of the cross-jurisdiction decisions about implementation of the GMA.

LU-1: Farmland and forestland are protected primarily for their long-term productive resource value. However, these lands also provide secondary benefits such as open space, scenic views, and wildlife habitat. All jurisdictions should encourage utilization of natural resources through methods that minimize the impacts on these secondary benefits. Resource lands also contain an abundance of critical areas that shall be protected in accordance with adopted state and local regulations.

LU-2: All jurisdictions shall protect existing resource lands within their boundaries that have long-term commercial significance for resource production. Any designated farmland and forestland shall not be considered for urban development. Jurisdictions are required to enact a program authorizing the transfer or purchase of development rights for designated forest or agricultural areas within Urban Growth Areas. At the request of any city, King County will work to reinstate the King County Purchase of Development Rights Program and/or establish an interjurisdictional Transfer of Development Rights ("TDR") Program to protect these resource lands in accordance with the Growth Management Act.



Appendix E Continued

County Comprehensive Plan Policies. The Rural Forest Commission finds that the Comprehensive Plan policies explicitly recognize the aesthetic and social values of forests and the importance of the interplay of forest cover, soils, and water for ensuring adequate groundwater recharge, runoff and pollution reduction, flood risk reduction, carbon sequestration, and wildlife habitat.

Consistent with the GMA and the CPPs, the King County Comprehensive Plan ("KCCP") designates forestlands that have long-term significance for commercial production of timber, and includes a series of policies directing implementation measures to assure their conservation. In addition to recognizing rural residential areas with significant contiguous blocks of timber (identified as Rural Forest Focus Areas ["RFFAs"] in the 2000 KCCP) and providing incentives for property owners in these areas to practice forestry, King County established the Forest Production District ("FPD") to distinguish those lands of long-term significance for commercial timber production. The FPD was first designated in 1985, prior to the adoption of GMA, and then reaffirmed in 1991 to comply with the timeline set by GMA. The FPD boundary has remained largely intact since its original designation.

In a subsequent update of the KCCP, Rural FFAs were established. These are identified geographic areas where special efforts are necessary to retain contiguous small tract blocks of rural forest. The County has made the RFFAs a priority for technical assistance and incentive programs to maintain forest cover where it contributes most to natural resource values and local economies.

The KCCP includes a series of policies intended to preserve long-term commercial forestry in the FPD and encourage forest stewardship of forested properties in the RFFAs. These policies recognize the benefits of managed forestry; encourage the retention of large, contiguous blocks of forestland; limit the removal of land from the FPD; limit land uses that are incompatible with active forest management; seek to reduce conflicts with nearby non-forestry uses; and call for incentive programs to maintain forestry as a viable industry and encourage forest stewardship.

1. **King County Rural Economic Strategies.** The Commission believes that the Forestry Program and CUT programs are integral to the implementation of the strategies, which employ interdepartmental coordination to promote rural economic development, regulatory flexibility, and support for sustainable forestry.
2. **County Permits and Incentive Programs** require review and approval of Forest Stewardship Plans (aka Forest Management Plans) by qualified County Forestry Program staff. Requirements for these plans are described in the King County Forest Management Plan Public Rule of 2015.

Permits and incentive programs that require forest plans include, but are not limited to:

- Application to the TDR Program
- Application to Public Benefit Rating System and CUT programs
- Application for a residential building permit in the Forest Production District
- Critical Areas Ordinance flexibility for forest thinning for fire safety, firewood collecting, habitat restoration, and noxious weed control in critical areas buffers
- Eligibility for a King County Class 4G non-conversion clearing and grading permit
- Flexibility in conducting forest practices under County regulations
- Permission to practice forestry in a resource tract of cluster development or a resource area



Appendix E Continued

- 3. Rural Area Clearing Restrictions (“65/35” Rule).** In response to the Court of Appeals Decision in *CAPR v. King County*, the provisions of the Clearing and Grading Code that require rural property owners to limit the amount of clearing on their property will not be enforced. Department of Local Services-Permitting Division has proposed to have the Forestry Program carry out targeted technical assistance and forest stewardship education for landowners who are contemplating clearing in order to minimize the impacts of development.
- 4. Stormwater Management.** King County Department of Natural Resources and Parks, Water and Land Resources Division (WLRD), Stormwater Services, sought County forester expertise in writing specifications, designing, reviewing, and monitoring the creation of native forest in areas that have been converted to other land cover. WLRD provides a fee reduction for property owners who convert developed land surfaces to forest, as described in the Surface Water Management Fee Protocols. Also, in the Surface Water Design Manual there are specifications for creating native vegetated landscapes for use with the full dispersion flow control best management practices.

