



Friends of Clark County

PLANTING THE SEEDS OF RESPONSIBLE GROWTH

June 23rd, 2025

TO:

Chair Sue Marshall
Vice Chair Glen Yung
Councilor Wil Fuentes
Councilor Matt Little
Councilor Michelle Belkot
Clark County Council
Public Services Center
6th Floor
1300 Franklin Street
Vancouver, WA 98660
CC: Kathleen Otto, Rebecca Messinger, Jordan Boege

RE: Turnover Timber Sale and DNR-managed Clark County Public Lands

Dear Clark County Council,

My name is Mary Goody and I am a board member of Friends of Clark County, a non-profit environmental advocacy organization that has been working collaboratively with Clark County since 1996 to protect our quality of life and economic viability for everyone. We represent thousands of supporters who are residents of Clark County and constituents of this council. I have appeared before you in the past regarding the Dabbler legacy forest timber auction.

As you are aware, FOCC partnered with the Legacy Forest Defense Coalition (LFDC) through litigation in an attempt to obtain an injunction to stop the logging of irreplaceable legacy forest in eastern Clark County. We were unsuccessful in that litigation, as the Department of Natural Resources (DNR) withheld the administrative record and gave the timber company special approval¹ to clearcut while there was an active legal

¹ From Legacy Forest Defense Coalition and Friends of Clark County's *Appellants' Motion to Voluntarily Dismiss Public Lands Act and State Environmental Policy Act Claims* regarding the Dabbler legacy forest sale: "DNR has continued using a tactic of delaying review while allowing logging activity to eviscerate the Court's ability to deliver a complete judicial remedy and consume Appellant's limited resources and attorney time on repetitive preliminary remedies **just to maintain the status quo before a merits hearing.** **The Pacific County Superior Court eventually sanctioned DNR on May 9, 2025,** ordering DNR to produce timber sale administrative records within 30 days for five consolidated cases where it was severely overdue, imposing penalties of \$2,500 per day if the agency failed to meet the 30-day deadline, awarding attorney fees to LFDC, threatening to impose interest if the agency did not remit the attorney fee award to LFDC within 30 days, and making a finding that DNR had violated its statutory obligation under RCW 70.02.030. LeDuc Decl., Ex. B (Signed Order). **The Whatcom County Superior Court also sanctioned DNR** for failing to timely produce the administrative record while simultaneously allowing logging operations to proceed..."DNR likewise knew, or reasonably should have known, that **authorizing logging to proceed would force Appellants into litigating temporary restraining order and preliminary injunction**

process underway and while this council had unanimously asked for a pause to the cutting, ensuring that the case would become moot prior to the merits hearing that was slated for this month.

During the course of our research into these unique eastern Clark County forest areas, we learned much in a short period of time. We brought our information to the Council and asked you to contact the new Commissioner of Lands, Dave Upthegrove, the BNR, and the DNR, requesting the cancellation of the Dabbler sale, the conservation of similar legacy forests, and the prioritization of carbon sequestration, watershed health, and ecosystem services in the DNR's management of our lands. The character of these forests were close to becoming old growth, which is protected in the State of Washington. In response to our asks and the broader community's robust engagement with you in support of the protection of legacy forests, the council wrote multiple letters to the DNR and asked for the following actions:

1. A public work session with Public Lands Commissioner Upthegrove;
2. A pause of the Dabbler Timber sale;
3. A framework for conserving older growth forests throughout Clark County going forward.

None of these actions have occurred.

We are now faced with another Dabbler situation with the SEPA filing and Determination of Nonsignificance (DNS) issued by the DNR recently on the 155 acre Turnover timber sale units. Another sale in Clark County, Dendrophobia, is next, although it has not yet entered the SEPA process. The comment period for Turnover closed on May 7th, 2025. The auction is set for September. We understand that the Turnover sale is currently paused; however, based precisely on what happened with Dabbler and the fact that the DNR is still defying your expressed wishes to conserve older growth forests in Clark County by getting these sales ready in hopes that Upthegrove ends the pause, we believe it is imperative to get on the record immediately and not delay your comments.

We ask you also to consider the statements of Stephen Kropp, Director of LFDC, in his objections to Scott Sargent, the Cascade Region Manager:

It is unlikely that counties will be dependent on timber revenue 20 years from now in the same manner they are today. A new carbon market is rapidly emerging and it may soon be more profitable to leave these older trees in the ground than cut them down. New laws and policies intended to combat climate change are likely to create many more jobs in restorative forestry, fire risk reduction and ecologically based forest management 20 years from now on state forest lands than there are in timber sale contracts today.

Our new climate reality demands that we stand up strongly for these forests now before it's too late and stop entertaining antiquated economic arguments for clearcutting them.

proceedings to preserve the status quo of the stands to prevent a likely finding of mootness after the timber had been removed."

Furthermore, we are concerned that renewed plans and discussions by the council around this issue have not been inclusive of the Clark County community who brought it to your attention. The council has given direction in support of another closed-door meeting with the DNR, even requesting inclusion of the timber industry, yet there was no invitation extended to a representative of Friends of Clark County or a local representative of the Legacy Forest Defense Coalition. Similarly, private site tours with the DNR of our trust land are being planned without inclusion of community members or the press. Finally, all of this is being planned while there has still not been any follow through on the council and Upthegrove's promise of a **public** work session with him on this matter. **The public must have input in the management of our public land.**

In summary, FOCC asks the Council to:

- 1) Get on the record with the proposed Turnover sale NOW and be proactive in watching the status of Dendrophobia;
- 2) Invite community advocates and local press to the planned DNR site tours of Clark County trust land;
- 3) Invite at least one community representative to the planned closed-door meeting with the DNR, timber industry, Cascade Forest Conservancy, and others; and
- 4) Follow through on the council's promise to hold Upthegrove to the PUBLIC work session that he agreed to.

Please see the attached detailed SEPA comments from the forest and legal experts at LFDC on the Turnover timber sale, LFDC and FOCC's Motion to Dismiss on the Dabbler sale, and Clark County Council's first letter to Commissioner Upthegrove.

Thank you,
Mary Goody and the Board of Friends of Clark County