



**King County Rural Forest Commission
Meeting Minutes
Thursday, March 16, 2023 – 9:00 am to 12:00 pm
hybrid**

Commissioner	Present?	Commissioner (Ex-Officio/Non-Voting)	Present ?
Laurie Benson, WA DNR		Brett Anderson, KCD	✓
Jeff Boyce, rural cities/professional forester	✓	Grace Garrison - WSU Extension	
Wendy Davis, private forest landowner	✓	New Ranger, USDA Forest Svc.	
Wyatt Golding, non-timber values of forest land			
Li Hsi, forest landowner		Vacant, forest landowner	
Steve Horton, forest product user/forest landowner	✓	Vacant, forest landowner	
Mari Knutson, forest landowner	✓	Vacant, forest landowner	
Cindy Spiry, Snoqualmie Tribe		Vacant, forest landowner	
Grady Steere, large forest landowner	✓		
<i>five RFC members attending is a quorum</i>			
County Staff Present			
Richard Martin, DNRP		Eric Beach	
Wendy Sammarco, DNRP		Nicole Sanders	
Public			
Jenny Coe		Tom Amorose	
Jon Matson		Eric Oien	
Mike Mackelwich		Matt Axe	

Motions

01-03162023 Motion: A motion is made to accept January meeting minutes as written. Wendy Davis makes the motion; Mari Knutson seconds the motion. The motion carries unanimously

02-03162023 Motion: A motion is made to move Tom Amorose, Jon Matson and Eric Oien forward in the RFC member nomination process. Grady Steere makes the motion, Wendy Davis seconds the motion. The motion carries unanimously

03-03162023 Motion: A motion is made create an Ex Officio position for a forestry college student. Grady Steere makes the motion, Steve Horton seconds the motion. The motion carries unanimously

04-03162023 Motion: A motion is made to adjourn the March 2023 Rural Forest Commission meeting. Steve Horton makes the motion; Wendy Davis seconds the motion. The motion carries unanimously

Action Items

Action item: All RFC members assist in the RFC recruitment efforts. The RFC members could suggest and encourage forest landowners and managers to consider applying to serve on the RFC. *(unending action item)*

Action item: Craft and seek a permit exemption (from a clearing and grading permit) for fire hazard and/or invasive species abatement. *(note: RFC letter to KC Executive and KCC advising/requesting consideration for alternative permitting pathway for Firewise actions in the WUI likely will be sent in May)*

Action item: Forest operations that are impacted by neighboring structures that are >+\$1,000 value, should remain Forest Practice (currently Clearing and Grading); craft and pursue resolution through KC Policy (*holdover from previous RFC meeting*)

Action Item: Schedule/Coordinate Forest Field Tour for King County Council – Local Services and Land Use Committee (*note: RFC/KCC Field Tour request made for July August or September 2023*)

Action Item: Draft a letter to King County Council Local Services and Land Use Committee emphasizing the importance of forest and including specific asks. This letter will be a precursor to the field tour. Wyatt Golding will draft the letter; Wendy Davis will work on logistics to support the tour.

Action Item: Schedule a presentation on the WA DNR’s Trust Land Transfer Program

Action Item: Schedule a presentation on the WA DNR’s Carbon Program

Action Item: Explore, amend the RFC Charter, motion etc. on adding a student member position to the Rural Forest Commission

Action Item: Schedule a presentation on wildland firefighting readiness with DNR, Fire Districts, USFS and King County

Action Item: Schedule a presentation with Eric Beach (KC AFI Permitting Specialist) on Ag permits, alternate permitting pathways, class IV generals

Call to Order

Grady Steere called the meeting to order at 9:02. Grady, serving as an RFC Executive Committee member, is managing the meeting in Laurie Benson’s (RFC Chair) absence. This meeting of the RFC is hybrid, with participation both in-person and online via MS Teams.

Presentation: Intersection of new King County Code and Fire Resilient Landscaping Zones – Nicole Sanders King County Department of Local Services

Nicole begins her presentation with a reminder that she presented to the RFC a little over a year ago on the Wildland-Urban Interface or WUI codes. Today’s presentation is focusing on wildfire clearing codes proposed as part of the package update for the 2024 Comprehensive Plan.

The wildlife clearing code item is related to the Rural Forest Commission’s voiced interest for easier or removed forestry permitting within 150’ of structures in forested areas, before the DNR Forest Practices jurisdiction takes effect at that 150’ line.

- In a past email, Richard Martin noted this has been in discussion or of interest for at least 6 years
- Most recently, in 2020 this work was attempted to be addressed through amendments to the Forest Stewardship Plan Public Rule
- This was based on a believed regulatory flexibility from KCC 16.82.150 for reducing wildfire danger by “following best management practices approved by the King County fire marshal,”
 - However, in September 2020 staff discovered that 16.82.150 had been invalidated by 2008 CAO court case
 - As such, staff had no code authority to waive clearing & grading requirements through a forest plan, so public rule additions were deemed premature & efforts to amend the Public Rule were halted.
- In 2022 folks raised the question if we could make progress on this item under the banner of Firewise best practices in the Comprehensive Plan update process.

The current drawbacks of this work:

- First, these codes are proposed as part of the 2024 Comprehensive Plan Update – with a projected adoption in December 2024, which is a year and 9 months from now. That feels really far in the future, so

we're currently exploring some options for earlier adoption

- Additionally, the code updates will only address the first 30' of the desired 150' no/reduced permit area, This is NOT a panacea, but it could be progress to realistically reduce fire danger to these structures.

Most are familiar with this, but to provide grounding on the Firewise approach, which advocates for various fire safety activities based on structural proximity. This includes the

- Immediate zone (0 – 5 ft)
- Intermediate zone (5 – 30 ft)
- Extended zone (30 – 100 ft)

For Context, the State DNR Forest Practices Application (FPA) jurisdiction is 150 ft – onward. In the context of Firewise, these code amendments help address landscaping needs in the immediate and intermediate zones, whereas clearing activity in the subsequent 120 feet to the DNR line would still require a permit.

What is the issue of doing something out to the 150' property line now?

Doing just a flat area projection from the sides of a roughly 2,200 square foot home easily adds up to a cleared area of 36,000 square feet, not including the full circular areas when moving out diagonally from a structure. Similarly, going out to the extended Firewise zone of 100' could still easily result in clearing of over 24,000 square feet.

For context, the code limit for clearing without a permit is currently 7,000 square feet, so these projections are easily four times what we would allow now.

And there are concerns that, in these extended areas there could be wetlands and steep slope issues where staff would be concerned about not conducting additional review.

Conversely using the Intermediate Firewise distance of 30', the total cleared area would be closer to the 7,000 foot clearing limit currently in our code. Additionally, this distance aligns with firewise best practice, and the proximity to the structure means that clearing in this area is less likely to infringe on critical areas and buffers that are protected in current code

This clearing limitation is separate from a current allowance in code, which already allows for maintenance of lawn, landscaping areas, and gardening activities for personal consumption, so that's already allowed.

In terms of the process to develop these codes, there was not a lot of time.

- We were told in September 2022 that we'd need to deliver an 80% draft by end of October, so we had between 6 – 8 weeks to get progress on something that's been stuck for 6 years
- We ran into those same initial internal staff concerns I mentioned with the 150' or 100' foot distance without a permit, but out take was

"Don't sacrifice the good for the perfect" – get some progress, even if it's not perfect.

- So, we settled on that 30-foot distance
- Then did an initial scan of 7 different jurisdictions we'd heard were progressive on these issues including (Chelan, City; Chelan County; Kittitas County; Snohomish County; Sammamish, City) – Surprisingly, the City of Bainbridge had really good, usable model code
- We then compared that Bainbridge code with Firewise and state DNR best practices and WUI codes to bulk them out a bit and make them more comprehensive

Within that 30' intermediate Firewise zone, work are we proposing could be conducted within 30' of a structure containing habitable space without a permit. And just to note that habitable space is a structure with sleeping, eating or cooking areas – not stand-alone bathrooms or storage units.

- Vegetation removal within:
 - 5' of a structure w/habitable space or a deck;
 - 10' of a propane tank.
- Tree pruning, and vegetation removal beneath a tree crown, to provide:
 - 10' clearance from the ground (but pruning cannot exceed 1/3 tree height);
 - 15' clearance over driveways for emergency vehicle access.
- Tree removal and pruning to provide at least:
 - 10' between crowns;
 - 10' between crowns and decks, propane tanks & habitable structures;
 - 15' between crowns and chimneys.
- Removal of pyrophytic plants.

Briefly, comparing these code changes to vegetation modification in Firewise and from the State Department of

Natural Resources, the provisions pretty much line up, or even go further than what is advised. There are two exceptions – one is DNR which advises up to 15 feet of pruning from the ground, and then for both of these they advise a greater distance between tree crowns. We may edit this code provision to match at least the 15' between crowns. The 10 feet was based on a WUI code minimum distance.

Most of our state building codes use International Code Council (or ICC) codes.

Washington codes addressing the WUI area typically use, or at least draw from, requirements in the ICC WUI code. However, while most WUI codes are based in this codebook, most of the individual WUI codes are not currently adopted. We expect a partial adoption of the codebook in 2023 that will select the most pertinent provisions. The codes that are in force today are in the RCWs. In 2018, SB 1609 was passed by the state legislature, which said that, upon completion of statewide mapping of the WUI, led by DNR, certain WUI codes would be adopted into the building code. Those codes addressed construction requirements for roofs, exterior walls, appendages & projections, and access for long driveways.

While DNR has issued a version of these maps, there is debate on whether they're usable – however, once these maps are considered usable, these requirements will go into effect.

Discussion

-Steve Horton - 10'-15' clearing limit from a home is not defensible. People need a change that will make a difference. No one is saying firewise clearing will be a free-for all

-Grady Steere - 30' from a home is still not defensible

-Steve Horton - No one wants a free for all, there needs to be controls. Currently it may cost \$3-\$5 thousand to acquire a Clearing and Grading permit to do it the right way, the way that will make a wildfire defensible difference. Can it be a zero-cost permit? We have to let folks do things that will help and not be cost prohibitive.

-Steve Horton – King County needs to look at this from a smart position

-Grady Steere – Let's refocus, Nicole is presenting on KC code which does not require a Clearing and Grading permit.

-Jeff Boyce – What is the current code? If I take out trees from the 30'-100' zone, current code allows for up to 7000 ft² which is based on crown size (not basal area) Richard Martin – 7000 ft² based on crown size may be 3-4 trees. Nicole: 7000 ft² is a lifetime permit, but also 30' zone would be exempt allowing for 10' between tree crowns, which may be expanded to 15' between tree crowns.

Jenny Coe – NFPA recommends 18' between crowns. Nicole: KC will likely modify to 18'.

Grady Steere – DNR has no jurisdiction within a tree length and a half from a structure; to operate/harvest trees in this area would require a Clearing and Grading permit.

Grady Steere – Possible solution would be to actively manage the 30' zone for defensible space and to be able to build a 30' fire line around property.

Jeff Boyce – Do you need a permit to prune? What about a tree that is outside the 30' zone, whose crown is within the 30' zone?

Matt Axe – What wildfire research indicates is that the 30' zone is most important. Many things a landowner can do in this zone are high impact and low cost. Beyond this 30' zone you may/will be affecting forest environment.

Grady Steere – Would RFC like to put thoughts together and submit a letter to the KC Executive and the KCC?

Grady, Jeff, and Steve volunteer to create the draft letter.

Past Meeting Minutes

The RFC members review January RFC meeting minutes.

Motion: A motion is made to accept January meeting minutes as written. Wendy Davis makes the motion; Mari Knutson seconds the motion. The motion carries unanimously.

Recruitment Update

Wendy Davis shares highlights from recent RFC candidate member interviews. The candidates are Tom Amorose, Jon Matson and Eric Oien.

Motion: A motion is made to move Tom Amorose, Jon Matson and Eric Oien forward in the RFC member nomination process. Grady Steere makes the motion, Wendy Davis seconds the motion. The motion carries

unanimously

RFC Strategic Priorities Report-where should RFC and KC focus efforts in 2023? Guided discussion

The discussion focuses on a spreadsheet of RFC Report NOW action items from the RFC Report. This discussion is about Focus area 1: Protection, Restoration and Stewardship of Private Forest land

- 1.1.8 Evaluate Forest cover and condition for land identified as high conservation value in the Land Conservation Initiative = RFC would like to know what KC is doing currently, and in the near future (KC presentation)
- 1.4.2 Partner with DNR and the Washington State Conservation Commission to increase capacity to deliver financial incentives to forest landowners = RFC would like to know what is the capacity of KCD, DNR and NRCS (KC staff investigates and presents findings)
- 1.6.2 Eliminate the need for King County Clearing and Grading permit for fire risk reduction activities with 150 feet of home = RFC will send a letter advising a change and an alternate permitting pathway for fire hazard treatment within 100' of a home (anticipate letter completion in May 2023) Additionally, this will be a focus of the RFC + KCC field tour in summer/early fall 2023
- 1.6.6 Cap costs of permits for forest practices as has been done with agriculture = RFC – future presentation by Eric Beach (KC AFI Permitting Specialist) on Ag permits, alternate permitting pathways, class IV generals
- 1.6.7 Revise KC Code so that permits are not granted to applicants with outstanding compliance issues on the same or other applicant-owned property = RFC – KC staff investigate how other Counties are addressing this repeat violator issue, as a first step
- 1.6.8 Revise King County Code to ensure that restoration activities are not treated the same as conversion/development = RFC – KC staff investigates what permits other Counties are requiring for restoration efforts
- 1.7.2 Educate forest landowners with holdings that do not meet LCI protection criteria about forest protection options including CUT, PBRS and alternative incentives for forestland protection such as the Rural Forest Carbon Program and TDR. =RFC – KC staff investigates size of the gap; also schedule RFC presentation on LCI program and TDR program
- 1.7.3 Increase program marketing to educate landowners about CUT, PBRS, TDR and other program availability, targeting owners of LCI priority properties. RFC = KC staff to pursue and report back to RFC

Agency Updates

- DNR- Laurie Benson will be transitioning to a new position with Trust for Public Lands. Laurie will continue serving as an RFC member and Chair.
- WSU – 3 Coached Forest Stewardship Planning Classes offered in 2023. Two online during 1Q & 2Q and one in-person during 4Q. Steve Horton would like to see a south King County Coached Planning Course offered
- KC DNRP (Parks) Is ramping up with a forestry program, with Paul Fischer as the senior forester, two new foresters will be hired, and a three person field crew. The new team of foresters will focus on forest restoration and harvests on Parks properties.
- KC DNRP (WLRD) Paul's vacated position will be converted to an Urban Forester position focusing on urban tree issues in unincorporated KC. Another position, planned for. will focus on Community Wildfire risk reduction and private forest stewardship and planned to be advertised and filled in 4Q 2023
- KCD – Fuel reduction project in the planning stages for Trilogy in Redmond Ridge. The project will include pruning, thinning, and woody residue treatments. Mike Lasecki is navigating the permitting process regarding this work.
- Campbell Global-Snoqualmie Tree Farm – Recreation permits went live yesterday, and the vehicle use permits sold out in one day! Vehicle permits are \$300, with 700-1,000 vehicle permits offered annually. Bike, Hike, Horse permits are available and are \$10 daily or \$75 annually

Adding a College Student as an RFC Ex-Officio Member discussion

- Steve Horton – Would the student need to be approved by the KCC? Wendy Sammarco – no, not as an Ex-Officio member
- Term – one year is appropriate
- Recruitment – work with head of departments at GRC and UW

Motion: A motion is made create an Ex Officio position for a forestry college student. Grady Steere makes the motion, Steve Horton seconds the motion. The motion carries unanimously

Updates on planned RFC + KCC Tour and RFC July Field Trip

Wendy Davis provides a brief overview of the KCC field tour, which will provide real life/forest example of current use taxation Designated Forest Land and Public Benefit Rating System/Open Space, and the work required to steward a forest in varying stages of development. The field tour will include a perspective of the firewise zones and why the 100' alternate permit is important/high value.

Wendy Sammarco shares that the RFC July field tour will be to the Cedar River Watershed in North Bend and asked if the RFC members have a preference to tour the upper watershed (Chester Morse Lake, and forest restoration examples) or the lower watershed (Cedar River and forest restoration examples). The consensus is to tour the upper watershed.

Adjourn

Motion: A motion is made to adjourn the March 2023 Rural Forest Commission meeting. Steve Horton makes the motion; Wendy Davis seconds the motion. The motion carries unanimously

The meeting is adjourned at 11:46