

Washington Farm Forestry Association (Ken Miller)

I can't tell if the content of my testimony actually came through. Please confirm that you received it.

Thanks

Ken



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Re: Dept of Ecology Tier II Analysis Concerns

To Whom It May Concern at Washington Dept of Ecology:

For the record I'm Ken Miller, co-representing Washington Farm Forestry Association with Dave Roberts on behalf of the Small Forest Land Owners (SFLOs) on the Adaptive Management Programs TFW Policy Committee.

The details of this Tier II analysis are mostly beyond my understanding and certainly beyond 99.9% of the family forest owners that are potentially impacted. When the governed don't have understanding or buy-in they logically conclude this is simply about bureaucratic power with no connection to solving any real problems. No resource functional problems are even alleged in the current Np proposal.

I do acknowledge a lot of personal confidence in Chris Briggs and appreciate his hand in trying to at least partially correct the overreach of earlier Tier II analysis. I'm also sympathetic to FPB member David Bowen having inherited an issue made much worse than it should have been by previous Ecology folks. I suspect it's really hard (for any regulator) to backtrack on an agency position at this late date. . . . but you must find a way to backtrack, if only to salvage some credibility for DOE.

Tier II language is complicated and bureaucratic, but the issues are simple:

1. The draft Np rule was limited by and now acknowledged to have been developed under false instructions to the expert panel and the FPB members, exposing DOE and the Forest Practice Board to malpractice at a minimum w/o at least a do-over.
2. The CMER science isn't new or unexpected, nor unanticipated in the Federal HCPs biological opinion where some limited, temporary warming was expected! DOE was intimately involved and supportive of the 1987 TFW Agreement through at least the HCP process where everyone at the table was compromising as "necessary and in the overriding public interest" in a shared risk paradigm. The only change appears to be a change in heart by at least the previous administration at Ecology.
3. Ecology once had all TFW Policy caucuses supporting efforts to provide more Np shade. . . a consensus that likely won't survive hard-liner interpretations of Tier II.

Maybe Ecology does have the power to force the Board to triple current Np buffers, but the more important question Ecology should be asking is: Will alienating, or betraying Forests and Fish partners help, or hurt long term goals to better protect cool water? The older and larger family forest owners are now considering the legacy of their forestlands. They are increasingly deciding they "**have had it with this one-way street**" purporting to be a collaborative and balanced goal called Forests and Fish. Reject this flawed analysis that is ultimately counter-productive to Ecology interests, and a betrayal of Forests & Fish.

Ken