



# Local Leaders

## Issue Spotlight

Local Leaders,

*This is our ninth in a series of emails to elevate core issues we've been working on. Let us know what you think or if there are any other issue spotlights you'd be interested to learn more about.*

### **Let's talk about the state constitution and Washington's public forests.**

In 2020, our sister organization Washington Environmental Council, along with Conservation Northwest, Olympic Forest Coalition, and eight families that live next to DNR lands across the state, filed a declaratory judgment lawsuit and appealed two historic DNR forest management decisions arguing that the Department of Natural Resources' current management of state trust lands does not reflect the needs and long-term interests of *all* Washingtonians.

The case was argued on October 21, 2021 and a decision is expected in the coming weeks!

If the Court agrees with our interpretation of the state constitution, DNR will have a historically-important opportunity to work with forest stakeholders to find ways that public forests can be better managed to meet a diversity of values – environmental, economic, and social needs. Right now, our public forests are managed to prioritize generating revenue from timber sales.

### **What are State Trust Lands?**

At statehood, the federal government granted Washington land to be held for the public and to support public institutions, like school construction, including about 2 million acres of forests. Management policies for these "trust lands" are set by the Board of Natural Resources (BNR), and management is carried out by the Department of Natural Resources (DNR). The Constitution requires the proceeds from the logging of these forest to go to certain funds, including school construction, but is silent about how these lands should be managed for "all the people" in the short and long-term.

### **Our Fight in the Courts**

Article 16, Section 1 of the Washington State Constitution states that "all the public lands granted to the state are held in trust for *"all the people"* (emphasis added). Our lawsuit asks the Court to confirm that the State must manage public lands for the public benefit of *all* Washingtonians.

DNR today does not manage the federally-granted state trust lands in the best interests of "all the people." Instead, on the belief that they are like private trusts, the State maximizes revenue generation of the trust lands above all other objectives. This leads to intensive logging of public lands at the expense of the general public interest.

The lawsuit does *not* seek to end logging on state trust lands, but seeks to give DNR the discretion to incorporate other benefits in land management decisions so revenue generation from logging doesn't necessarily come at the cost of other benefits, resulting in more balanced and ecological forest management that considers the many natural, social and economic values and services our forests provide.

### **Why does this matter for *your community*?**

Washingtonians should not be forced to choose between logging revenue and healthy, resilient forests that protect local air, water, habitat, and communities — particularly in a time of climate crisis.

Management of public forests for “all the people” would allow for incorporation of values that are important to communities across the state, including:

- Carbon sequestration and storage
- Resilience to wildfire, drought, and disease
- Protection against landslides and floods
- Protecting clean and abundant drinking water and ensuring cool streams for salmon
- Truly sustainable timber production, and associated revenue
- Thinning and restoration forestry, and associated revenue
- Local job creation
- Critical habitat for threatened and endangered species
- Cultural connections
- Recreation opportunities

It is important to note that this case deals directly with the *federally-granted* state trust lands established in the state constitution, *not* the state-managed forestlands that provide revenue for county essential services.

The economic health of Washington's rural communities is important. Increased flexibility for DNR could facilitate forest management that creates jobs and supports local business, such as more labor-intensive ecological restoration. Currently, revenue from *federally-granted* trust lands is not a significant component of the budgets of many of the recipients.

### **For more on the potential benefits of forest management for *all the people* and a full timeline of the case:**

- Check out [the full background document on the case](#) from October 2021
- [Read this op-ed published in the Olympian](#), authored by former Superintendent of Public Instruction Judith Billings and former Seattle School Board President Barbara Schaad-Lamphere.

### **What are local leadership opportunities?**

- Weigh in on how management of public forests for broader public values and considerations beyond status quo revenue generation will benefit your communities, via op-eds, or LTEs.
- Join a virtual Board of Natural Resources meeting, the first Tuesday of each month, to be engaged on how decisions are made on state forestland management, and how timber sales are approved.
- Connect with us to learn and discuss more.

Thanks for reading! We'll continue to share information and resources on critical issues. Let us know what else we can do to be a resource for environmental progress in your community.

Best,  
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