



SKAMANIA COUNTY BOARD OF COMMISSIONERS

Skamania County Courthouse
240 NW Vancouver Ave | PO Box 790
Stevenson, WA 98648

(509)427-3700
Fax (509) 427-3708

Christopher Brong
District 1

Doug McKenzie
District 2

Bob Hamlin
District 3

January 11, 2016

Senator Patty Murray
The Marshall House
1323 Officer's Row
Vancouver, WA 98661

Senator Maria Cantwell
The Marshall House
1313 Officer's Row
Vancouver, WA 98661

Congresswoman Jaime Herrera-Beutler
750 Anderson Street, Suite B
Vancouver, WA 98661

Dear Senators Patty Murray, and Maria Cantwell, and Congresswoman Beutler:

We are compelled to request your assistance in requiring the US Forest Service (USFS) to cease ALL federal acquisitions of private lands in Skamania County. Most recently private lands adjacent to the Pacific Crest Trail.

We write to you **again** to express our extreme frustration concerning ongoing acquisitions of private land by the US Forest Service in Skamania County, WA. On August 4, 2015, and January 5, 2016, this Board was notified by the USFS Columbia River Gorge National Scenic Area Manager, Lynn Burditt, the Forest Service was in the process of acquiring over 270 acres of private lands adjacent to the Pacific Crest Trail.

On numerous occasions we have written to you, spoke with your aides, and communicated with the USFS CRGNSA Manager Lynn Burditt, our opposition to any acquisition of private lands in Skamania County. Additionally, this acquisition appears to be in violation of the federal appropriations bill.

Any further acquisition of private lands severely limits the capability of this County to provide services to residents and visitors. County government services which include the Board of Commissioners, the Sheriff, Superior and District Court offices, County Clerk, Treasurer, Auditor and Assessor are operating under very limited services due to limited manpower.





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The private lands of this County are limited to 10% in private timber lands (in a deferred 40 year cycle of timber harvest tax.) and, 2% in private residential and commercial lands which pay the yearly private property taxes.

We look forward to the opportunity to discuss federal land acquisitions, and other federal policies, that hinder revenue development for Schools, County services, fires, emergency medical care, residents and our visitors.

We would appreciate the courtesy of a reply, at your first opportunity. We have made numerous requests for support and assistance from your offices with very limited response in the last two years, other than your vote for Secure Rural School payments. Federal land management policies and laws severely impact the ecological condition of our forest lands, and, public services for residents and visitors.

Sincerely,

Christopher Brong
Commissioner

Doug McKenzie
Commissioner

Bob Hamlin
Chair

cc:
Regional Forester
GPNF Supervisor
CRGNSA USFS Manager
The Skamania County Pioneer
The Columbian
OregonLive
All Elected Officials
Port Commissioners
Hospital District Commissioners
Stevenson – Carson School Superintendent.





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Attachments:

Emergency Resolution No. 2014-69, 10/7/2014.

Letter to GPNF Supervisor, 9/30/2014.

Letter to all WA federal legislators, 7/7/2015.

Letter to Senator Cantwell, Murray and Congresswoman JHB, 8/11/2015.

Letter from Chairman Calvert and Congresswoman JHB, to USFS Chief Tidwell, 12/18/2015.





DAVID S. BROWN
SHERIFF

OFFICE OF THE SKAMANIA COUNTY

SHERIFF

PO Box 790
200 Vancouver Ave.
Stevenson WA 98648
Phone (509)427-9490
Fax (509)427-4369
www.skamaniasheriff.com
scso@co.skamania.wa.us

Pat Bond
Chief Criminal Deputy

David Waymire
Chief Corrections Deputy

Tina Anderson
Chief Administrative Deputy

January 11, 2016

Senator Patty Murray
The Marshall House
1323 Officer's Row
Vancouver, WA 98661

Senator Maria Cantwell
The Marshall House
1313 Officer's Row
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Congresswoman Jaime Herrera-Beutler
750 Anderson Street, Suite B
Vancouver, WA 98661

Dear Senators Patty Murray, and Maria Cantwell, and Congresswoman Beutler:

I join in agreement with the Skamania County Board of Commissioners in asking you to intervene on behalf of Skamania County. It is imperative that you hold the U.S. Forest Service accountable and require them to cease ALL federal acquisitions of private lands in Skamania County.

The USFS has continued to acquire private land over the course of the past several years. Each block of private land acquired by the USFS further decimates our ability to provide critical county services and to adequately educate our youth. I am aware that the Board of Commissioners was notified on August 4, of 2015 and on January 5, 2016 by the Columbia River Gorge National Scenic Area manager, Lynn Burditt that the USFS was in the process of acquiring over 270 acres of private lands adjacent to the Pacific Crest Trail in Skamania County.

As a result of the 2015-2016 appropriations bill, the USFS was provided specific direction as it relates to the acquisition of parcels of land. It appears this acquisition may very well be in violation of the federal appropriations bill.

With the uncertainty of PILT payments from year to year and the continued decrease in Secure Rural Schools funding, my office has been subjected to large scale reductions in personnel and services. Lack of adequate funding

in the County has led to a decrease in patrol hours, elimination of a narcotics detective and the reduction of 6 uniformed deputies.

Any further acquisition of private lands by any federal land management agency will further limit the capability of this County to provide services to residents and visitors.

The USFS is exhibiting a blatant disregard of direction set by Congress. Unfortunately, this has become a routine and expected course of action by federal land managers. This should not be tolerated by Congress and I am hopeful you will exercise diligence in stopping these actions immediately.

I further join with the Board of Commissioners in looking forward to the opportunity to discuss federal land acquisitions, and other federal policies, that hinder revenue development for Schools, County services, fires, emergency medical care, residents and our visitors.

Sincerely,

A handwritten signature in cursive script that reads "David S. Brown". The signature is written in dark ink and is positioned above the typed name.

David S. Brown
Sheriff

RESOLUTION NO. 2014-69

**DECLARING AN EMERGENCY IN SKAMANIA COUNTY, WASHINGTON
DUE TO UNHEALTHY NATIONAL FOREST CONDITIONS, YEARLY
THREAT OF CATASTROPHIC FIRES, AND, MINIMAL COUNTY GOVERNMENT,
SCHOOLS AND EMERGENCY SERVICES.**

1. **WHEREAS**, it is the responsibility and within the scope of authority of the Board of County Commissioners of Skamania County to exercise powers necessary and proper to protect public safety, health, promote public prosperity and improve the morals, order, comfort and convenience of the inhabitants of Skamania County pursuant to the provisions of the Constitution of laws of this State; and,
2. **WHEREAS**, historically, the Board of County Commissioners of Skamania County has been periodically required to exercise those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and welfare of the County in appropriate instances; and,
3. **WHEREAS**, due to the incapability of the US Congress and the President to establish law which requires a short term yearly authorization of Secure Rural Schools and Payment in lieu of taxes (PILT) funding, and, transition to required yearly National Forest management with sustained yield of timber harvest providing timber tax receipts to support County government services, schools and emergency services; and,
4. **WHEREAS**, due to the general lack of health on our forest lands due to federal mismanagement driven by ill-advised environmental policies; and, Multiple-Use Management, including Timber Sales, have been curtailed to the point of causing greatly diminished health on our forests; and, have created catastrophic health, safety, welfare and economic affects to Skamania County; and,
5. **WHEREAS**, Skamania County elected officials have lost trust in the capability of local US Forest Service management to implement the goals of the Northwest Forest Plan. That the Gifford Pinchot National Forest is managed improperly by avoiding and limiting timber harvest that would provide a healthy forest conditions, and timber receipts to Skamania County; and, the US FOREST SERVICE management has not involved the Board of County Commissioners of Skamania County as equal partners in the planning and management of the Gifford Pinchot National Forest; and,
6. **WHEREAS**, Federal laws (e.g. the National Environmental Policy Act, etc.) and regulations contain reciprocal requirements concerning cooperation, consultation and coordination by Federal agencies with state and local governments and such cooperation has not been Forthcoming by the US Forest Service; and,
7. **WHEREAS**, US FOREST SERVICE management has ignored advice and direction by the founders of the Forest Reserves, President Theodore Roosevelt and Forester Gifford Pinchot, for Rangers (managers and employees) to be available, reside, and become an integral part of the Skamania County communities, where nearly 2/3 of the Gifford Pinchot National Forest exists; and,
8. **WHEREAS**, US FOREST SERVICE has plans to acquire additional private lands in Skamania County, in addition to the 80% of Skamania County lands owned by the US FOREST SERVICE,

through the use of Land and Water Conservation Funding, which will continue to reduce County property tax revenue for services, schools and public emergencies; and,

9. **WHEREAS**, the Washington State Auditor has established that Skamania County's ability "to collect property tax revenue is extremely limited due to 88% of the land owned by the federal and state government and therefore, "tax exempt," and, there is "uncertainties as to whether federal forest monies will be received" in the future; and the Board of County Commissioners is required to further reduce County government and emergency services; and,
10. **WHEREAS**, Skamania County receives an average of 75 inches of rain per year, and is described by the US FOREST SERVICE PACIFIC NORTHWEST RESEARCH STATION as "in the most productive natural temperate forests in the world,,,"that only 50% of this region was "old growth" at early settlement,,,"that the adaptive management area component of the Northwest Forest Plan has been a near failure,,,"that the media that shape public opinion have little understanding of the long history of Northwestern forestry, the nature of forests, possible management options, or the existence of a large body of research-based information."
11. **NOW, THEREFORE BE IT RESOLVED**, that the Board of County Commissioners of Skamania County declares a State of Emergency to exist in and around the communities and watersheds both around and within the Gifford Pinchot National Forest.

BE IT FURTHER RESOLVED:

- A. that the Board of County Commissioners of Skamania County hereby formally demands that State and Federal officials take immediate action to eliminate hazardous conditions in and around the communities and watersheds in and around the Gifford Pinchot National Forest and all other Federally Managed land in Skamania County, and, calls on State and Federal officials to immediately coordinate a meeting to address the issues raised by this resolution; and
- B. that the Board of County Commissioners of Skamania County invoking the inherent police powers of the state hereby formally gives notice to all relevant State and Federal officials that pursuant to its duty outlined above, after consulting with the WA state Commissioner of Public Lands and the United States Regional Forester, taking surveys, holding those public hearings as may be necessary and developing a plan to mitigate the effects of this emergency and as a county in which a Emergency has been declared, we intend to unilaterally take such actions as are necessary to within the area of this emergency and to assess all associated costs to those agencies charged with multiple use management of our forests and whose neglect has caused the dangerous conditions therein; and,
- C. that this Resolution be called immediately to the attention of the President, the Secretary of Agriculture, Washington Congressional Delegation, Governor of the State of Washington, the Washington Legislature and the Washington Division of Emergency Management. and,
- D. that the Governor of the State of Washington is hereby called upon in the name of the State of Washington to declare a State of Emergency in Skamania County and its national forests effected by high fire danger and lack of forest management; and,
- E. that United States Forest Service management personnel are hereby called upon to immediately respond to the communication, consultation and coordination with, and provide immediate notification in the active planning and management to Skamania County of all their activities,

programs, planning, NEPA processes; and, cease all efforts to purchase private lands for federal management; , in Skamania County, and,

- F. that the Skamania County Board of County Commissioners calls upon the President, U.S. Department of Agriculture, U.S. Congress, the Washington Legislature, and the Washington Governor's office to immediately provide emergency funding to accomplish pre-commercial and commercial tree thinning, timber sales, dead tree removal, fuel-load reduction, to protect affected areas from catastrophic wildfire, and watershed protection; and
- G. that the Board of County Commissioners of Skamania County calls upon the U.S. Department of Agriculture and the U.S. Congress to conduct an investigation to determine why the requirements of County, State and Federal ordinances, laws and regulations are not being routinely followed in relation to public safety, recreation, wildfire and economic issues of Skamania County forest lands and other federally managed lands, and, why the US Forest Service continues to plan to purchase private lands.

ADOPTED on this 7th day of October 2014.

ATTEST:



Debbie Slaw
Clerk of the Board

APPROVED AS TO FORM ONLY:

[Signature]
Prosecuting Attorney

**BOARD OF COMMISSIONERS
SKAMANIA COUNTY, WASHINGTON**

[Signature]
Commissioner

[Signature]
Commissioner

Robert Anderson
Commissioner

SKAMANIA COUNTY SHERIFF

[Signature]
David S. Brown

References:

- USDA FS Pacific Northwest Research Station, General Technical Report, PNW-GTR-696, June 2007.
- Twenty-Five Percent Fund, 16USC500.
- Multiple Use Sustained-Use Sustained-Yield Act of 1960, 16 USC 528-531.
- National Forest Management Act of 1976, Section 14,(e)(1)(C)
- RPA Statement of Policy, PL 96-514.
- 1990 Farm Bill (National Forest-Dependent Rural Communities Economic Diversification Act of 1990) Section 2372, and 2373.
- Record of Decision, Pacific Northwest Forest Plan, <http://www.reo.gov/riec/newroda.pdf>.
- FSH 1909.17 – Economic and Social Analysis Handbook.
- WA State Auditor's Office Schedule of Federal Audit Findings and Responses, Finding #2, Skamania County January 1, 2013 through December 31, 2013.



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TDD Relay Service (800) 833-6388

CHRISTOPHER BRONG
District 1

DOUG MCKENZIE
District 2

BOB ANDERSON
District 3

September 30, 2014

USDA Forest Service
Janine Clayton, Forest Supervisor
Gifford Pinchot National Forest
10600 NE 51st Circle
Vancouver, WA 98682

Dear Ms. Clayton:

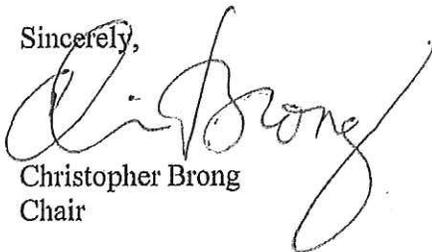
It has come to the Board of County Commissioners attention that privately owned timber managed land recently harvested, known as the St. Helens Property, LLC, approximately 3000 acres in the High Lakes area, would now like to sell this property to the Forest Service.

Skamania County Commissioners are adamantly opposed to any additional federal land acquisitions in the County.

The Commissioners and residents of Skamania County are opposed to the use of Federal Land and Water Conservation Funding for the acquisition of private lands for federal land management by the U.S. Forest Service or other federal agencies. The further reduction of private lands for property tax purposes further erodes funding for county government services, schools, and emergency services.

Skamania County land ownership is comprised of 80% federal lands (US Forest Service and US Fish and Wildlife Service hatcheries and Refuges), 10% privately owned timber forested lands, 8% WA State (Parks, Department of Natural Resource, and WDFW fish hatcheries), leaving only 2% in private residential and commercial owned lands. (In addition, the Columbia River Gorge National Scenic Area special land use requirements apply to the southern 10% of the County which is comprised of both private and federal lands.)

Sincerely,



Christopher Brong
Chair



Doug McKenzie
Commissioner



Robert Anderson
Commissioner



Skamania County
Board of Commissioners

Skamania County Courthouse
240 NW Vancouver Ave
P.O. Box 790
Stevenson, WA 98648

Faxed 7/7/15

Christopher Brong
District 1

Doug McKenzie
District 2

Bob Hamlin
District 3

July 7, 2015

(509) 427-3700 FAX (509) 427-3708
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Senator Patty Murray

Representative Jaime Herrera-Beutler

Senator Maria Cantwell

Representative Cathy McMorris Rodgers

Representative Susan DelBene

Representative Derek Kilmer

Representative Rick Larsen

Representative Jim McDermott

Representative Dave Reichert

Representative Adam Smith

Representative Denny Heck

Representative Dan Newhouse

Dear Senator Murray, Senator Cantwell, Representative DelBene, Representative Larsen, Representative Reichert, Representative Heck, Representative Newhouse, Representative Herrera Beutler, Representative McMorris Rodgers, Representative Kilmer, Representative McDermott, and Representative Smith:

We are writing to urge you to support HR 2647, the Resilient Federal Forests Act of 2015, which was recently approved by both the House Natural Resources Committee and the Agriculture Committee. This legislation builds on the 2014 Farm Bill by providing federal land managers new tools to restore the resiliency of our federal forests through active management and collaboration.

Our nation's federal forests are facing serious threats from fires, insects, and disease due to a lack of active forest management. The poor health of our federal forests also threatens wildlife populations, neighboring non-federal lands, as well as the vitality of rural, forested communities across the country. The bill will help expedite needed forest management treatments to improve the health and vitality of our federal forests.

HR 2647's use of the Categorical Exclusion (CE) under the National Environmental Policy Act will allow routine, collaborative projects with known effects to be more quickly prepared, analyzed, and implemented. The Forest Service has long

experience with management techniques to reduce forest pests and disease, thin hazardous fuels, create and maintain habitat for species, recover damaged timber, and protect water quality. These projects mitigate risks and also help create early successional forest habitat which is good for wildlife.

These projects are routine, reoccurring activities with known effects, and therefore should qualify for exclusions from repeated, extensive analysis.

The average time required for the Forest Service to complete a forest management project using a CE is 6 months, versus 37 months for an Environmental Impact Statement and 19 months for an Environmental Assessment. In addition to saving time, the expanded use of the CE will allow the agencies to direct their limited resources at planning additional projects. The acreage size limits in the bill, prohibitions on their use in sensitive areas, and requirement for collaboration should address any concerns about the potential for overuse of these new authorities. The bill rightly encourages more aggressive efforts to recover damaged timber after large fires and other catastrophic events.

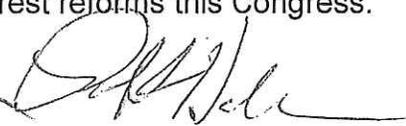
We strongly support the new authorities providing additional sources of revenue to plan and implement forest management and restoration projects. The bill provides mechanisms for retained receipts from timber sale and Stewardship contracts to be used to fund the environmental analysis and project layout activities needed to implement additional projects. With at least 65 million acres of federal forests at risk to insects, disease, and wildfire, these new authorities are critical to increase the pace and scale of forest management treatments. We also support ensuring that timber revenues generated through Stewardship contracts be subject to receipt sharing with local counties.

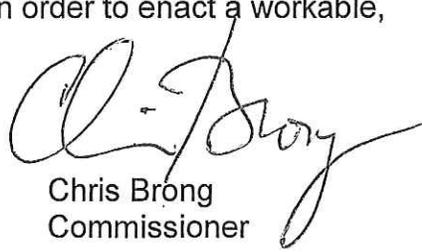
We also endorse HR 2647's provisions requiring those who wish to litigate these broadly supported projects to post a bond to cover the government's cost of defending the project. This will discourage litigation from outside parties that's all too often intended to delay needed management activities. This type of frivolous litigation, often based on procedural claims, is one of the root causes of the current analysis paralysis crippling the agencies and sets back the efforts of local collaborative group to reach consensus around local projects.

While the Resilient Federal Forests Act won't solve all the problems facing our federal forests, it will provide the agencies powerful new tools to begin improving forest health and resiliency. We urge the passage of HR 2647 in order to enact a workable, implementable set of forest reforms this Congress.

Sincerely,


Doug McKenzie
Chair


Bob Hamlin
Commissioner


Chris Brong
Commissioner



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August 11, 2015

Senator Patty Murray
The Marshall House
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Senator Maria Cantwell
The Marshall House
1313 Officer's Row
Vancouver, WA 98661

Congresswoman Jaime Herrera-Beutler
750 Anderson Street, Suite B
Vancouver, WA 98661

Dear Senators Patty Murray, and Maria Cantwell, and Congresswoman Beutler:

Once again, we are compelled to request your assistance in advising the US Forest Service (USFS) to cease ALL federal acquisitions of private lands in Skamania County.

On August 4, 2015, this Board was notified by the USFS Columbia River Gorge National Scenic Area Manager, Lynn Burditt, that the Forest Service was in the process of acquiring over 270 acres of private lands near Stevenson, WA.

Any further acquisition of private lands severely limits the capability of this County to provide services to residents and visitors. County government services which include the Board of Commissioners, the Sheriff, Superior and District Court offices, County Clerk, Treasurer, Auditor and Assessor are operating under very limited services due to limited manpower.

The private lands of this County are limited to 10% in private timber lands (in a deferred 40 year cycle of timber harvest tax.) and, 2% in private residential and commercial lands which pay the yearly private property taxes.

We appreciate your support for the recent 2 year extension of the Secure Rural Schools payments to federal forest counties. However, this is a temporary, limited, extension that provides a permanent solution to lack of federal forest management, fire prevention, declining Northern Spotted Owl populations, and limited financial resources for County government services and community schools.





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That's why we continue to urge your support for the bipartisan Resilient Federal Forests Act (HR 2647), currently in the Senate, or some other meaningful solution to reform federal forest policies.

We look forward to the opportunity to discuss federal land acquisitions, and other federal policies, that hinder revenue development for Schools, County services, residents and our visitors.

We would appreciate the courtesy of a reply, and, a planned meeting with your aide. We have made numerous requests for support and assistance from your offices with very limited response in the last two years, other than your vote for Secure Rural School payments. Federal land management policies and laws severely impact the ecological condition of our forest lands, and, public services for residents and visitors.

Sincerely,

Christopher Brong
Commissioner

Doug McKenzie
Chair

Bob Hamlin
Commissioner



HAROLD ROGERS, KENTUCKY, CHAIRMAN
RODNEY P. FRELINGHUYSEN, NEW JERSEY
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EVAN H. JENKINS, WEST VIRGINIA
STEVEN M. PALAZZO, MISSISSIPPI

Congress of the United States
House of Representatives
Committee on Appropriations
Washington, DC 20515-6015

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DEREK KILMER, WASHINGTON

WILLIAM E. SMITH
CLERK AND STAFF DIRECTOR

TELEPHONE:
(202) 225-2771

December 18, 2015

Thomas L. Tidwell
Chief
U.S. Forest Service
1400 Independence Ave., SW
Washington, DC 20250

Dear Chief Tidwell:

We write to express concern about a Forest Service proposal to purchase lands in Skamania County, Washington, without the consent of elected county officials. Counties comprised of predominately Federal lands, such as Skamania County, already struggle with a low tax base from which to raise revenues to provide vital community services. While foregone property tax revenues are partly made up for by the Federal Payments in Lieu of Taxes (PILT) program, the year-to-year uncertainty of PILT funding has county officials rightly concerned about any further, and likely permanent, additions to the Federal estate.

This Congress is taking a closer look at Federal land acquisitions in light of these local concerns and has begun taking steps to reduce and even zero out funding for land acquisition projects proposed by the President that lack the requisite local, State, and congressional support. With regard to the concerns in Skamania County, the explanatory statement contains the following directive:

“Prior to proceeding with any Pacific Crest National Scenic Trail acquisitions, the Forest Service is directed to submit to the Committees a list of specific parcels for Committee approval.”

We strongly encourage you to consider local support prior to submitting such list of specific parcels for Committee consideration.

Thank you for your attention to this matter. If you have any questions or concerns, please don't hesitate to contact our offices.

Sincerely,

A handwritten signature in blue ink that reads "Ken Calvert". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ken Calvert
Chairman
Subcommittee on Interior, Environment,
and Related Agencies

A handwritten signature in blue ink that reads "Jaime Herrera Beutler". The signature is cursive and spans across the width of the page.

Jaime Herrera Beutler
Member
Committee on Appropriations