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VOICES

Budget Cuts and Policy Erosion Characterize 2002 Legislature

By WEC staff

In a legislative session dominated by debates over transportation and the budget, lawmakers left Olympia on time. The short session spared the environment any major rollbacks but caused some policy erosion and inflicted deep cuts in natural resource programs.

The Washington Environmental Council (WEC) monitored more than 100 bills during the recent 60-day session that concluded on March 14 and took positions on 47 of them. Ultimately, only a handful

of bills actually made it through the legislative gauntlet and, depending on actions taken by Governor Locke, the final assessment is likely to be a classic "one step forward, two steps back."

"This session was tougher on the environment than we expected," said Executive Director Joan Crooks. "The disproportionate influence of rural lawmakers on natural resource policy was more evident than ever and demonstrated that control of the legislature by a party doesn't ensure good environmental law."

2002 Legislature • continued on page 4

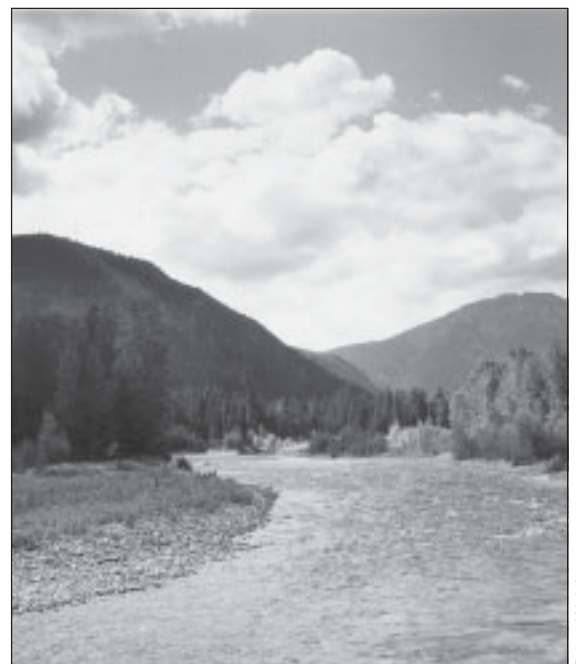
Healthy Streams Campaign

By Tom Geiger, Outreach Director

Report: State Fails to Protect Water Resources

In early March, the Washington Environmental Council (WEC) and the Center for Environmental Law and Policy (CELP) released a new report finding that Washington State has largely failed to police water use and enforce water laws that have been in effect for decades. This failure is one of the contributors to rivers and streams around the state running so dry that they cannot support healthy salmon populations.

The report, "Dereliction of Duty," provides a comprehensive analysis of problems with water law enforcement and protection of stream flows in Washington—leaving many rivers and streams with too little water. It also chronicles the problematic political relationship between Ecology and the Legislature that has plagued efforts to effectively enforce water laws and introduce water law reforms.



Brian Walsh

Healthy Streams • continued on page 6



We've been asking a lot of questions lately. Recently we asked a sampling of our members what they thought about our programs and our communications (see Membership Matters p.7). We also asked several funders and decision-makers about our strengths and effectiveness. And we continue to ask ourselves how we can change to become more effective at protecting the places we love in Washington. So why all the questions? Well, WEC has been given a challenge.

The Washington Environmental Council is one of nine groups from the Northwest (OR, WA, ID, MT, AK and BC) that have been chosen to participate in the Brainerd Foundation's Challenge Grant Program. This innovative program challenges an organization to evolve to the next level – becoming more effective in doing its job of protecting the environment. To be chosen for this program, an organization must have a solid reputation as a leader in the community and it must have a well-defined plan for where it is headed. But it also must have significant potential – potential to grow and become an even stronger force for positive environmental change.



Joan Crooks

Don Davies

This past year has been one of evaluation, research and planning. We reviewed all of our programs and identified those areas in the organization with the most potential for improvement and growth. We then assessed our current status in these areas and outlined where we want to be three years from now. After a year of work, we submitted a 3-year proposal to the Brainerd Foundation. We just received word that it's a go!

Over the next three years, this large multi-year grant will allow WEC to focus on three areas: 1) Increasing our political influence; 2) Improving our communications; and 3) Growing our membership. We have laid out ambitious goals in each of these areas that will strengthen WEC for the future.

Political Influence: Both our members and decision-makers view WEC as a credible and consistent defender of the environment in the state capitol. And we have heard loud and clear that our legislative program is highly valued and if anything, we should do more in this arena. Over the next several years, we will be smarter in our legislative work, better track emerging state issues and use new tools to help engage activists.

Communications: Over the past couple years, WEC has made modest investment of resources into communications and we have seen some real benefits. We will focus resources here to take us to the next level, communicating in a way that engages more people in protecting Washington's environment.

Membership: WEC members give us three very important things: political clout, diversified financial support, and a connection with environmental issues across the state. More members mean more of each of these important elements for WEC. That's why we've designed an aggressive plan to build our membership to 5,000 households by 2004. You can help us – share this newsletter with friends and ask them to join WEC!

And no, we haven't forgotten about the issues. We are investing in these areas because of the issues. WEC's three campaigns - The Healthy Streams Campaign, The Habitat Protection Campaign and The Sustainable State Forests Campaign - are critical to the future of Washington State. We need to be successful. Our challenge is to build an even stronger organization that can win these campaigns and other future campaigns.

I am truly excited and energized by the Brainerd Foundation's investment in WEC's future. And now its time to get to work.▲

Joan Crooks

Sustainable State Forests Campaign

State to Set Logging Level for the Next Decade What's Your Vision for Our State Forests?

By Becky Kelley, Policy Associate

Imagine that you are a state forester, sitting at your desk in the Department of Natural Resources (DNR) office in Forks. You're laying out a timber sale and trying to figure out how big the sale will be and how many trees you will require the logging crews to leave. You are concerned about the needs of wildlife and the fact that there have already been many timber harvests in the watershed, so you'd like to limit the size of the harvest area and leave 25% of the trees standing after the cut. But you've got a timber quota to meet so you push the sale boundaries out to 100 acres and require just a few wildlife trees to be left per acre.

Over the next 18 months, the state is setting the logging level for Washington's westside state forests for the next decade. The Washington Environmental Council wants to make sure that the state sets a responsible level, so that forester in Forks (or Enumclaw, Chehalis, or Sedro-Woolley) does not have to make a short-term choice that harms the environment and the long-term profitability of the forest.

Between now and April 10 you can write a letter to tell the state how you would like to see them manage the state forests and what options should be analyzed in an Environmental Impact Statement (EIS).

WEC's Sustainable State Forests Campaign

Washington has 2.1 million acres of forested lands logged by the Department of Natural Resources (DNR) to provide revenue for beneficiaries including K-12 schools, universities, and counties. There is tremendous tension between protecting public resources like water and wildlife and cutting as many trees as possible for maximum short-term revenue. Today, the public's water, wildlife and recreational opportunities often get the short end of the stick.

WEC's Sustainable State Forests Campaign aims to improve management of Washington's state forests, creating a model of sustainable forestry that protects the environment and benefits all citizens of the state. Having the state set a responsible logging level is key to meeting that goal.

State Must Make Improvements

In order for state forests to be a model of sustainable forestry, the state needs to make significant improvements:

- ▲ **Have state forests certified under Forest Stewardship Council (FSC) standards.** Green certification is similar to an "organic" label on food—the FSC label tells you that wood comes from a relatively well-managed forest. The state should move ahead with FSC certification and the improvements it requires.
- ▲ **Protect remaining old growth on state forest lands.** According to the Department of Natural Resources, there are roughly 80,000 acres of trees 150 years and older on state-managed land. Unless the state changes its policy, much of these forests are available for logging. It's time to protect the precious small amount that remains.
- ▲ **Don't roll back wildlife protection.** Last spring, Commissioner of Public Lands Doug Sutherland proposed removing several wildlife protection measures. These include interim protections for spotted owls, wildlife habitat trees to be left after clearcutting, and protections to lessen the cumulative effects of logging in one watershed.

How Will the State Set the Logging Level?

The six-member Board of Natural Resources sets policy for the state forests and they will decide the logging level. In setting the level, the Board will revisit their logging policies. The Board's policies about how, where and when they will log become part of a calculation that tells DNR how much timber they should harvest each year. ▲

Send a Letter

Comments must be received at DNR by 5pm on April 10, 2002. Comments can be sent via e-mail to jenifer.gitchee@wadnr.gov, faxed to 360-902-1759, or mailed to: SEPA Center, P.O. Box 47015, Olympia, WA 98504-7015. Please reference the file number: 02-022201.

For more information, please see WEC's website: www.wecprotects.org or contact Becky Kelley at 206-622-8103 or becky@wecprotects.org. Additional information is available on the Department of Natural Resources' website at: www.wa.gov/dnr

WEC's legislative priorities saw plenty of action: 1) A symbolic water bill was passed in the waning moments of session; 2) Lawmakers chose budget cuts over raising permit fees and closing tax loopholes; 3) State foresters were denied additional management flexibility; 4) The regulatory rollback agenda of the Competitiveness Council largely faltered; and, 5) The legislature is sending a multi-billion dollar transportation package to the voters that contains a decent amount of money for transit, carpools and other transportation choices.

Many successes were characterized not by what happened, but by what did not. Killed at one point in the process were the following: a bill to divert state superfund cleanup money to science educators; a transportation mitigation banking bill that would have allowed habitat destruction to be made up elsewhere through unproven schemes; bills to potentially weaken emerging stormwater standards; and a whole host of bills that would roll back existing health and environmental safeguards.

Ultimately, the single largest policy statement was that of the budget. While a 60-day session typically calls for a course correction, the \$1.6 billion budget hole necessitated a budget rewrite; a process that shortchanged funding for the environment.

"The natural resource programs took a disproportionate hit," noted Josh Baldi, WEC's policy director. "While these programs only make up 1.6% of the state's General Fund, they were burdened with 8.6% of the cuts."

"What it came down to for legislators was the false choice of 'kids versus the environment' or 'elderly care versus our quality of life'," said Josh. "Since, lawmakers were loath to raise taxes in an election year, there was little choice but to impose harsh cuts."

Following is a report card that grades the legislature on a broad range of issues and recognizes several lawmakers who worked especially hard for the environment during session.▲



Rep. Hans Dunshee

Legislators who Earned Extra Credit

Rep. Hans Dunshee (D-39) worked tirelessly on a broad range of environmental issues, notably protection of the state's shoreline and land use laws.

In the face of tremendous pressure from the agricultural lobby, Rep. Kelli Linville (D-42) kept her word to only move a water bill that advanced in unison the needs of people, farms and fish.

Senator Ken Jacobsen (D-46) worked to improve bills in a tough committee and managed to find a way to pass a bill on biodiversity.

As chair of a key Senate committee, Senator Karen Fraser (D-22) maintained quality control over environmental policy and worked with the House to ensure a balanced water bill.



Rep. Kelli Linville



Sen. Ken Jacobsen

David Adam Edelstein



Sen. Karen Fraser

Legislative Report Card

Water: Incomplete



Partisan politics in the Senate hijacked the governor's effort to reform policies aimed at providing adequate water for people, farms and fish. A modest bill that provides additional management tools did pass keeping some momentum for reform on an issue that has seen political gridlock for 17 years.

Budget: C-



Taking a fair share of the budget cut was assumed given the \$1.6 billion hole lawmakers had to fill in an anti-tax climate. However, the legislature's axing of more than \$21 million in natural resource programs was 8.6% of the total cuts; a disproportionate amount of pain given that environmental programs comprise merely 1.6% of the General Fund. Funding for key programs, such as the rescue tug, eased some of the sting.

Shorelines: D



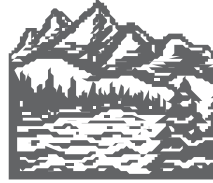
The legislature cut the state's shoreline program by 15% and exempted existing agriculture from the Shoreline Management Act. The latter was not unexpected given that powerful rural lawmakers had pushed for a bill and the Locke Administration signaled its support two years ago. The exemption was originally part of a package to implement improved shoreline rules everywhere else, but the bill moved in spite and in front of broader shoreline negotiations. The governor did work to ensure that the exemption did not extend to the Growth Management Act.

Growth Management: C



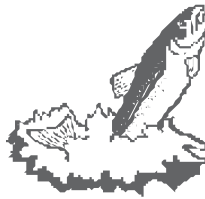
Extending timelines for growth management compliance and the slight loosening of provisions for rural development were offset by "smart growth" bills that guide state spending to reinforce the Growth Management Act and seek better coordination between land use and transportation planning.

Forests: C-



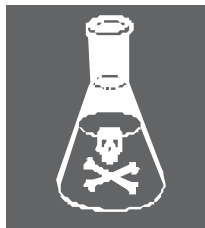
The legislature found the time to address small and corporate landowner concerns about implementation of the controversial Forests & Fish rules on private lands, but failed to provide state foresters with "contract harvesting," a tool to improve environmental oversight and increase revenue for counties and schools.

Salmon Recovery: C-



Rather than impose fees on hydraulic permits (currently free) that impact fish habitat, the legislature all but eliminated the state's Salmon Recovery Office through budget cuts and passed a bill to weaken the habitat authority of the state Fish & Wildlife Department.

Pollution: C+



A push to limit the use of mercury faltered when false economic scare tactics were raised, but the legislature did pass a bad bill allowing administrative judges to throw out scientific studies that guide water clean up plans. Funding for a rescue tug to prevent oil spills and a modest neighbor notification bill helped maintain a passing grade.

Transportation: B-



The \$1.2 billion in choices (e.g., rail, transit, trip reduction, etc.) of the \$7.8 billion state referendum fell short of a balanced transportation package but did represent a significant step forward by historical standards. Interestingly, the legislature's failure to pass a bill in Olympia forced lawmakers to provide more choices so the referendum would have a chance with voters.

The goal of the Healthy Streams Campaign is to restore and protect adequate amounts of water in rivers and streams so that they support healthy and abundant fish and wildlife.

get away with it.”

Over six months of hard work went into this 32-page report. Due to the accurate and documented research by WEC and CELP (144 endnotes back up the findings), the report was received as highly credible. Even those who are criticized in the report generally agreed with its findings. The *Seattle Times* story on March 8th quoted an Ecology spokesman saying, “The report itself does a reasonable job



Report covered in papers statewide

highlighting some of the management issues with our water. We’d be the first to admit that there’s a lot that could be improved.”

The article goes on to say, “Even former Rep. Gary Chandler, who recently left office after serving as the House Republicans’ expert on water-rights issues, and was an advocate for irrigators, agrees with many of the claims in the report – particularly the charges of sporadic enforcement.”

The report cites some of Ecology’s enforcement failures, including:

- ▲ “Selective” or unbalanced enforcement of water law;
- ▲ Outright failures to enforce and properly implement the law; and
- ▲ Failure to establish adequate instream flows as required by law.

As well as the failures of the Legislature:

- ▲ Legislative attempts to shield illegal water users from enforcement;
- ▲ Failure to provide adequate funding for enforcement of water laws; and
- ▲ Interference with agency enforcement actions.

While both WEC and CELP believe that some fundamental reform of water law is ultimately necessary to ensure healthy rivers and streams, the report presents a number of practical enforcement measures that could be implemented now to dramatically improve compliance with current laws and overall management of Washington’s precious water resources.

All but one of the recommendations in the report were included in the governor’s highly touted salmon recovery strategy in 1999, but are yet to be accomplished.

For more information or to obtain a hard copy of the report, contact WEC at (206) 622-8103. Copies of the full report can be found online at: www.wecprotects.org/waterreport.html ▲

Water Success Stories

In the 2002 Session, WEC’s work led to \$300,000 of funding for water research regarding irrigation diversions on Manastash creek. This creek near Ellensburg runs completely dry when irrigators divert all the water out of the stream and into their fields. In a constructive effort to solve the problem, WEC has been working with local hay farmers to get their water from wells instead. The research is needed to determine the impact on groundwater resources if the plan were to be implemented.

A modest bill that provides additional water management tools did pass the legislature, keeping some momentum for reform on an issue that has seen political gridlock for 17 years. In the face of tremendous pressure from the agricultural lobby, Rep. Kelli Linville (D-42) kept her word to only move a water bill that advanced in unison the needs of people, farms and fish. (See legislative article on page 1.)

WEC Membership Survey: The Results Are In



By Antonia Jindrich, Development Associate

What makes someone join an environmental organization? And what makes them keep renewing year after year? These are key questions in a membership organization, where so much of our political and financial support comes from individuals like you.

We decided that the best way to figure out what motivates people to become involved in Washington Environmental Council was to ask you – our members. You know what we do, and can tell us what is most important to you, and why you have continued your support through the years.

So, last fall WEC conducted a detailed survey of our members. Working with a consultant, we sent 500 surveys to a random sample of our members and got a great response. Thanks to the Brainerd Foundation for funding this effort.

What we heard

We heard loud and clear that our members value our focus on state-level advocacy. You appreciate that we are a strong voice for your environmental values in the legislature, in state agencies, and with the governor. You want us to keep working to improve state laws and policies and ensure on-the-ground enforcement of existing laws and regulations.

The responses we got were anonymous, but our role as an advocate for state-level reform of environmental laws was clearly valued. One member wrote: "We have always been associated with advocacy at the state level. National organizations...are structured to be effective at the national levels. Organizations with local chapters...handle local issues as well. No one does state issues as well as WEC so let's keep doing that."

You stressed that our credibility was our greatest asset. As one member said: "The Legislature depends on the WEC for information and guidance.

If the organization and its representatives aren't credible, WEC will lose its effectiveness." Another member stressed credibility in a different light: "I and my friends and neighbors need a source of information and suggested action that I do not need to second guess. I need to know someone has already asked my questions and answered them through careful research and thoughtful, savvy analysis."

We also asked what you thought we could do better. Many of the responses asked us to increase our media visibility, so that the environmental challenges, and our proposed solutions, are more visible to people around the state. You also thought we should improve our communications with our members, increase our legal and lobbying efforts, and limit our scope so we're not trying to solve every environmental problem.

Already making changes

The good news is that we've already started working towards these goals. WEC's new strategic plan, adopted in late 2000, has four goals which address the advice of our members: 1) focus our efforts to accomplish strategic environmental campaigns; 2) increase our communications to elevate our visibility and the visibility of our campaigns; 3) increase our political relevancy, as well as that of the environmental community; and, 4) grow our financial and human resources, including building our membership.

As the survey was anonymous, we weren't able to thank those members who responded. If you were one of them, THANK YOU! It was great to hear what our members thought we should be working on, and even better to know we are already on the right track. The feedback you provided will be immensely valuable in getting other people involved and grow our numbers. ▲

On a rainy night in early March, Tom Geiger, Washington Environmental Council's Outreach Director traveled to Hoquiam in Grays Harbor County to interview Brady Engvall. Brady is a retired oysterman and has lived in the area his entire life. He is one of the founders of Friends of Grays Harbor, a local group working to protect the quality of life in the area.

Tom Geiger: Give us a little background on how you got into the oyster business.

Brady Engvall: My dad worked in the mines and oilfields in Montana. In the beginning of the depression in 1929 he came to Washington to pick fruit and spent time in Westport digging clams. He liked it so much that he decided to stay. Over the years, he developed all sorts of small businesses. He would come up with an idea and develop it and then my mom would run it and then he would go hunting. He was one of the first shellfish retailers in the area.

Then my wife and I started our oyster growing business. Now the shellfish business is the foundation of the business in the Willapa Bay area. There is over \$30 million in benefits to the Grays Harbor / Willapa Bay areas from the shellfish industry. Of our six kids, three have taken over the oyster business and three are in commercial fishing. So all of them are involved in the community and working with natural resources, so that is why I feel it is important to preserve the environment for our grandchildren and the future. It all depends on clean water.

TG: The time between starting your business and today is when almost all of our environmental protection laws passed. How do you feel things are now and how do you feel about these laws?

BE: The oyster business is a heavily regulated one. It is a food that is eaten raw. But we are regulated as to whether we have good water quality. If we do not have good water quality, we are out of business. And it isn't that they are going to warn you, they just come and hang a pad-lock on your door if the water quality goes to heck.



Korry Engvall

Brady Engvall out in the oyster beds of Brady's Oysters

In our area, our water quality can be on the edge, at times, so we have to pay attention to what our neighbors do. And the environmental laws give us some leverage to make sure that our waters are protected. I did not pay much attention to water quality and what went on around us until we started our business and were regulated and needed clean water. The laws that are the books now are a basic way that we can protect ourselves.

TG: Washington Environmental Council spends significant effort to defend laws that are on the books, and at the same time get those laws enforced. Some people promote an "environment or jobs" approach. What do you feel about that?

BE: I think that it should be a balance. But who determines what the balance is to be? It seems to be a struggle between preserving a future and using the future up. The chipping away at laws that have passed, like the Growth Management Act and the Shoreline Management Act, is shortsighted. Many of the elected people in Olympia are operating on an election cycle, not on a longer cycle of whether or

In rural communities, it is disturbing that many seem willing to give up our environment for jobs. It isn't either or. We can have both.

not we are going to have a clean environment for our children or grandchildren. In rural communities, it is disturbing that many seem willing to give up our environment for jobs. It isn't either or. We can have both.

TG: Some critics say that these laws are too rigid. Given your experience, what would you say about that?

BE: I would say often the laws are not even followed. For instance, a lot of filling goes on in the wetlands around here. When somebody goes into the local government office, they don't even tell them that they need an Army Corps of Engineers permit. The people just go ahead and fill the wetlands without the necessary permit. Another example is in the legislature where many do not hold the Department of Ecology in high esteem. Many times the legislature seems to be trying to weaken Ecology and then criticize them for not processing permits fast enough.

TG: You were involved in a governor-appointed task force on the issue of how to address the erosion issues down here along the coast. What was that experience like in relation to the challenge that regulations are too rigid?

BE: This was a 6-8 month process that involved all the agencies, local communities, environmental groups, etc. And in the end I think we came up with a good and balanced report to the governor - one that protected the environment and also allowed development. But it didn't allow condos to be built on the edge of the beach. We all knew that erosion of the beach was taking place, so it didn't make sense to allow for new condos to be built in harms way.

We felt it was better to do things right the first time. Not try to correct a problem later on, but prevent it in the first place. But after all that work, at the last minute, the coastal communities came up with their own proposal and that led to the whole product being dead-on-arrival in Olympia. So it was the other guys who through a wrench into the deal. All that time and energy wasted because the local business interests were too rigid.

TG: What do you feel about the issue of compromise and the environment?

BE: This whole philosophy of compromise has a problem. Let's take Grays Harbor as an example. We have lost basically 50% of the functions of our local wetlands. It is the functions of wetlands and setbacks from waterways and things like that that protect our water quality and allow us to grow oysters. To be fair in a compromise you give up half. So you take the 50% already gone and you reduce that by half, you end up with 25%. So that is the first round of negotiations. Then in a few years, there is another negotiation and you are asked to compromise again, and so you get down to 12.5%. But if you keep giving them up a half at a time, pretty soon they're all gone. That's my way of looking at it. We have already lost so much.

TG: You got into oyster growing because you wanted to grow oysters. And then you realized the threats to clean water. Now that you've been at it for a while, what advice might you have for others, especially in rural areas, for how to be effective on environmental protection?

BE: With regard to the agencies, I have seen occasions where they come out with a strong opinion and some local citizens like myself come out and have the same opinion. And then the legislators put pressure on Ecology or some other agency and they change their minds. That leaves us out on that limb and the agency cuts the limb off. So keep an eye out on the agencies. These are our paid public servants. They are supposed to be striking a balance, but it doesn't seem like it works out that way.

Finally, I have gotten to the point where I can't compromise anymore. Sometimes you have to go to the mat. We are so close to the edge as to our water being clean we don't have any room to budge. That is the sorry part of it. If you don't go to the mat, you are just going to get eaten up. So we are standing up for our rights. We are trying to protect ourselves. It is the American way. ▲

If you don't go to the mat, you are just going to get eaten up. So we are standing up for our rights. We are trying to protect ourselves. It is the American way.

By Amy Zarrett, Environmental Organizer

Friends of Loomis Forest

In fact, much of the old growth in the Loomis Forest is not in the protected area and is up for logging by the DNR.

In 1989, Friends of Loomis Forest (FOLF) was created when a few concerned citizens started advocating for sustainable management of the Loomis State Forest in northeastern Washington. The forests' 140,000 acres are made up of shrub steppe to alpine wilderness and home to more species of concern than any other State Forest. Longtime FOLF activist, Mark Skatrud, describes the area this way, "When I think of the Loomis Forest, I think of a forest. It's never been managed as a plantation, as much of the west side state lands have. On the west side, they clearcut, replant, everything's the same age, the same height, then they start over again. The Loomis is a forest. It should be managed as a forest, not as a plantation."

The state-owned Loomis Forest in Okanogan County is part of the 2.1 million acres of forested lands managed by the Department of Natural Resources (DNR). These lands are managed for beneficiaries including K-12 schools, universities, counties, and the public. But there is tremendous tension between protecting public resources like water and wildlife and cutting as many trees as possible for maximum short-term revenue. Friends of Loomis Forest (FOLF), is a WEC member group and dedicated to ensuring that the Loomis State Forest is managed for all of its resources, not just timber. They utilize education, cooperation, litigation, and advocacy to accomplish this goal.



The Loomis State Forest provides some of the best Lynx habitat in the lower 48 states

FOLF works as an advocate by reviewing DNR timber sales. The group utilizes GIS (Geographic Information Systems) to map DNR sales and other information about what is happening in the forest. Armed with this information, they comment on appropriate documents, participate in public meetings, and sometimes appeal sales. This is all done by a volunteer group of concerned individuals.

They have successfully appealed a number of timber sales and helped raise \$16.5 million to protect the last 24,600 acres of predominately roadless forest in the Loomis Forest. The protected roadless acreage is only 18% of the total Loomis Forest. In fact, much of the old growth in the Loomis Forest is not in the protected area and is up for logging by the DNR.

Protection of old growth trees is the group's current priority. Most of the old growth has already been logged, making the remaining stands in the forest all the more important. According to Skatrud, "We probably have 10-15% of the original old growth still standing." Currently there is no protection for the vast majority of these "original growth" trees in the Loomis.

"All too often, the Eastside forests are the last to be considered for changes in DNR policy. Because of the drier climate on the east side, the forest grows so much slower than the west side. When elements are removed, the impacts can quite often be much greater because they're not going to grow back as quickly. We need sustainable forestry over here. We need old growth protections."

Another priority for FOLF is the updating of the lynx management plan for the Loomis Forest to reflect current science. Lastly, DNR is currently in the process of writing a management plan for the 2 roadless conservation areas that FOLF and other groups, including WEC, were key in protecting.

FOLF also works with WEC to influence forest policy on a statewide basis. Skatrud states, "Working with WEC has benefited FOLF by keeping us informed of policy changes at DNR in Olympia. WEC has been great to work with as we strive for a more holistic DNR management policy."

For more information about Friends of Loomis Forest, contact Mark Skatrud at skatrud@televar.com or call 509-223-4223. ▲

Friends of Loomis Forest of Loomis Forest

Friends of the San Juans

As the many who live there and visit know, the San Juan Islands and the Northwest Straits marine ecosystem are ecological treasures. And, in a county with more miles of saltwater shoreline than any county in the United States, it also has some of the most threatened waters in the nation. From the protection of salmon and peregrine falcons to eel grass, orcas and sea otters, there are countless good reasons for the existence of Friends of the San Juans (FRIENDS).

For 22 years, the nonprofit, member-supported FRIENDS has combined citizen activism, policy, environmental law, and science to create environmental solutions for the area and its natural residents. At stake is the quality of life for over 220 species of fish, 116 marine birds, 200 varieties of seaweed, 3,000 marine invertebrates, and 29 species of resident and visiting marine mammals who spend a portion of their life cycle in the waters surrounding the San Juan Islands.

This year the human population surrounding the San Juan Archipelago will increase to seven million people and pressures for development in these highly desirable “destination islands” will continue — like those in destination resort areas such as Aspen and Nantucket.

The populations of key indicators of marine ecosystem health, such as the orca whale and the salmon continue to decline at alarming rates. The population of the Southern Resident Orca Whales has dropped from 98 to 79 in the last six years alone. The food orcas depend on, salmon, is listed as threatened under the Endangered Species Act. In turn, the food salmon depend on, herring, has been petitioned for listing under the Endangered Species Act.

Herring and fish that are food for salmon need healthy habitat to spawn and grow, but these places have all but disappeared from the San Juans as people continue to develop and degrade shorelines. One way the group has been proactive to protect marine ecosystems is through an innovative, citizen-led effort begun in 1999 among more than twenty citizen groups, environmental organizations and tribal representatives from both sides of the Washington/British Columbia border.

Working together around the need to establish a protected area in these shared waters with a myriad of species, participants are hoping to establish the first trans-boundary marine-protected area in North America. It would encompass habitat for many Puget Sound fish species being considered for ESA listing, could provide valuable areas for salmon to safely grow to maturity, and orcas to pass unfettered by human disturbance.

The group takes an ecosystem approach to protection, coming at the issue of conservation from many different angles. FRIENDS has a long history of working on land use planning, forest and marine protection. With the assistance of WEC they continue to focus on important land use issues such as the Growth Management Act, overall development and density and permit violations. Equally important is their organizational commitment toward the preservation and protection of our threatened shoreline and marine ecosystems.

“FRIENDS has become a leader in environmental protection thanks to the tireless work of our board, staff, and the support of WEC,” states Buffum.

To find out more about FRIENDS, call 360-378-2319 or visit their website at www.sanjuans.org. ▲

WEC Initiates Growth Management Act Research Project

By Jerry Gorsline, Policy Associate

Because over half the land in Washington State is privately owned and covered by local government regulation, the Growth Management Act (GMA) has the potential to protect habitat at the local level and therefore may be the most significant piece of legislation affecting fish and wildlife ever adopted in Washington State.

Habitat protection is a central feature of the GMA, which requires local governments (cities and counties) across the state to designate and protect “critical areas,” and address land use issues that directly and indirectly impact fish and wildlife habitat. “Critical areas” include wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. But how effective is the GMA in actually protecting critical areas in Washington State? There is scarce information to provide answers to this question.

While the Washington State Office of Community Development has statistics on GMA compliance, it only tracks whether or not local governments have adopted a critical areas ordinance (CAO). Except for noting stream and wetland buffer dimensions, there is no information available on the substance and effectiveness of critical area protections.

To better address this implementation question, the WEC Habitat Protection Campaign has launched phase one of a three-year research project that will investigate how local governments are meeting their stewardship obligations to protect fish and wildlife habitat under the GMA. The research project is designed to generate detailed information on local government implementation of state policies for habitat protection.

Each of the five GMA “critical areas” has important implications for habitat protection. Wetlands are critical habitat. Geologic hazard areas should remain undeveloped and will provide additional habitat. Aquifer recharge areas occur in both undisturbed and modified landscapes, but in either case, they should remain unpaved and able to continue to infiltrate water. Stormwater runoff created by impervious surfaces (paving, rooftops, and other structures) is a fundamental threat to freshwater habitat, and any

science-based habitat conservation strategy must adopt limits for impervious surface and minimum retention levels for trees and other vegetation.

Phase one of the project will develop a checklist based on conservation planning principles that will be used for analyzing CAOs in sample jurisdictions. We will assess whether regulatory standards to designate and protect fish and wildlife habitat are comprehensive and scientifically defensible. Phase two will obtain information about the extent to which exceptions to standard CAO requirements are being granted, and to what extent these are being tracked and their conditions enforced. Phase three will undertake some case studies to assess the effectiveness of CAOs for protecting fish and wildlife habitat.

Two highly qualified volunteers will carry out the first and second phase of the research: Michael Mason and Jennifer Nixon. Michael is presently enrolled in a Master’s Degree program in Public Affairs and Environmental Science at the University of Washington. Jennifer Nixon has a zoology degree and a law degree with emphasis in environmental law and policy. Together, these researchers will bring extensive theoretical and practical experience in physical science, ecology, and environmental regulation to bear on this project, and WEC is excited to work with them to gather information important to protecting habitat. ▲

The goal of the Habitat Protection Campaign is to protect fish and wildlife habitat across Washington through improved and better enforced shoreline and land use ordinances.

Habitat Success Story

On March 7th, WEC and Jefferson County signed a settlement to a lawsuit that WEC had filed against the county for its failure to follow the Growth Management Act. We look forward to working with the county to make progress on meeting the terms of the agreement and benefiting the people and environment of Jefferson County. Due to WEC’s media outreach efforts, there were five newspapers articles throughout the region on this positive settlement.

WEC Communications and Outreach Intern: Abby Rubinson

By Tom Geiger, Outreach Director



Abby enjoys a camp meal on the beach

Volunteer interns are an important part of our work here at the Washington Environmental Council. Over the years we have had many and they continue to provide valuable research, organizing, legal, and in the case of Abby Rubinson, communications and outreach work for WEC.

Our interns come from all sorts of backgrounds and academic interests. Their enthusiasm and energy are a welcome addition to the organization and I feel personally lucky to have had such good interns over the past four years. Abby has continued this chain of success.

Before coming to WEC, Abby graduated from Duke University and had an internship in Washington DC. Her interests and skills are wide and varied: from writing for a school newspaper, to studying environmental field sciences; from working in South Africa to promote democracy and open government to working for a college radio station. It is this wide range of skills and interests that have made her a great addition to the WEC team.

She has assisted our letter-to-the-editor program by organizing members around the state to help get more letters into local papers. And she doesn't just work to get others involved. She has gotten involved herself. Just recently she submitted a letter that was published in the *Seattle Times* on the need to enforce our water laws. This was in response to an article covering the release of "Dereliction of Duty," a recent report by WEC and Center for Environmental Law and Policy (see cover story).

Over the last several months, Abby has assisted in our events (Environmental Heroes Awards, Annual Legislative Workshop), assisted in editing articles for publication in our newsletter, helped phone-bank our members to generate attendance at public hearings, and worked with me to develop a better media database.

She has a strong interest in working for environmental protection and would like to continue to live in the Seattle area. I look forward to continuing to work with her as my intern, and after she moves on, wish her the best.▲

Organizational Representatives

Lynn Bahrych, Shaw Island, Friends of the San Juans

Bryan Burke, Pullman,
Palouse-Clearwater Environmental Institute

Timothy Coleman, Republic,
Kettle Range Conservation Group

Danielle Dixon, Seattle, Northwest Energy Coalition

R.D. Grunbaum, Aberdeen, Friends of Grays Harbor

John Karpinski, Vancouver,
Clark County Natural Resources Council
Vice President - Legislative Affairs

Brenda McMurray, Yakima,
Yakima Valley Audubon Society

Vern Rutter, Tahuya,
Hood Canal Environmental Council

Janet Strong, McCleary, Chehalis River Council

Michael Treleaven, S.J., Spokane, The Lands Council

Greg Wingard, Seattle, Waste Action Project

At-Large Members

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John Arum, Vashon Island

Adam Berger, Seattle

Marcy Golde, Seattle

Larry Harris, Whidbey Island
Vice President - Administration

Robert Mack, Tacoma

Jay Manning, Olympia
WEC President

Joseph Ryan, Seattle

Jill Silver, Forks

Toby Thaler, Seattle

Call for WEC Board Nominations

The Washington Environmental Council is seeking people from around the state and from all walks of life to serve a two-year term on the WEC Board of Directors. WEC seeks individuals who will:

- ▲ Work to achieve the goals of WEC
- ▲ Actively participate in setting organizational policy and providing organizational direction
- ▲ Provide financial oversight and commit to fundraising efforts
- ▲ Actively serve on at least one of WEC's committees
- ▲ Attend four board meetings per year on Saturdays at locations around the state.

Nominations are being sought for the "At-Large" Director positions. The Nominations Committee will consider all nominees in preparing a slate of candidates. If you, or someone you know, are interested in working to protect Washington's environment as a member of the WEC Board of Directors please contact Joan Crooks at 206.622.8103 or joan@wecprotects.org for additional information or a nomination form. Nominations will be accepted by the Nominations Committee until April 30th. An election by the WEC membership will take place by mail in June.

The by-laws also allow an individual member in good standing to have his/her name added to the slate of candidates if his/her name is submitted before the above deadline by petition signed by 10 WEC members in good standing.▲

Boeing Presents Great Opportunity To Help the Environment

The Boeing Employee Community Fund Giving Campaign runs May 6-14, 2002. This is Boeing's workplace giving campaign when employees can sign up to give to the charities of their choice via payroll deduction or a check donation. If you are a Boeing employee, or know someone who is (please tell them), you can give to the Washington Environmental Council by asking for the "Personalized Giving Form" during the campaign and writing in the Washington Environmental Council under "Option 3: Positive Designation". If you have any questions about how to give to the environment at Boeing, please call the Earth Share of Washington office at (206) 622-9840. The Washington Environmental Council is a member of Earth Share of Washington.

CALENDAR

WEC is a co-sponsor/endorser for several events coming up over the next few months. These are included in the organizational calendar below:

April 10

Deadline for comments to Department of Natural Resources on the future of logging on State forest lands. See article on page 3 on why this is important and where to send comments.

April 14, 1 PM

EarthWalk
Seattle
Westlake Center to Seattle Center
This event is a celebration of personal and public commitment to protecting the environment for future generations.
Website for more info:
www.earthwalkseattle.org

May 3-5

North American Wilderness Conference 2002
Seattle
The Mountaineers Building
Preserving North American wild lands and waters in the United States; Canada, and Tribal Nations is the theme of this year's conference. For more information and to place your name on the conference mailing list, send your name, address, and e-mail address to: NWWPC, 12730 – 9th Ave. NW, Seattle, Washington 98177
E-mail: osseward@juno.com

June 28

WEC's Eastern WA office's 9th Birthday party and auction
Spokane
Call 509-747-3663 for more information or to donate an auction item

June 29

WEC's Summer Board of Directors meeting
Spokane

WEC VOLUNTEERS

The Washington Environmental Council relies upon scores of volunteers. WEC board and committee members contribute many hours to policy development, organizing, litigation, field monitoring, and public outreach. In addition to the above, we would like to acknowledge the following people, who have recently donated their time to WEC:

John Anderson
Randy Brook
Chris Chamberlin
Mary Beth Dols
David Adam Edelstein
John Ewers

Geoff Klise
Bonnie Morey
Kara Mutter
Darryl Phillips
Abby Rubinson
Rona Soemarmo
Louise Stonington

If you're interested in volunteering for WEC, please fill out our volunteer information form on our website at <http://www.wecprotects.org/volunteer.html> or call 206-622-8103 and ask for Amy Zarrett.

Legal Volunteers

In addition to the many attorneys that provide advice and support by serving on the WEC Legal Committee, WEC would specifically like to thank the following attorneys and organizations for donating professional legal services to WEC in 2001:

John Arum
John Bagg
Lynn Bahrych
Adam Berger
Tom Bjorgen
Earthjustice (Patti Goldman, Todd True, Kristen Boyles, Amy Sindan)
John Echeverria
Jeff Eustis
Roger Leed
Dave Mann

Marten & Brown (now with Brown, Reavis & Manning);
Tanya Barnett, Mary McCrea, Jay Manning)
Eric Nelson
Mark Panitch
Dan Rohlf
Richard Smith
Gerald Steele
National Environmental Law Center (Jon Stier, Joseph Mann)
1000 Friends of Washington (Tim Trohimovich)
Brent Walton
Washington Forest Law Center (Peter Goldman, Toby Thaler)

Voices is a publication of the Washington Environmental Council, a non-profit statewide advocacy organization working to protect and restore the environment of Washington State. The opinions expressed in feature articles are those of the authors and do not necessarily reflect the policies of WEC or its members.

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Please contact editor Tom Geiger at 206/622-8103 or tom@wecprotects.org, before submitting material.

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WEC is a member of Earthshare of Washington.



Earth Share
OF WASHINGTON

BECAUSE YOU CAN'T ALWAYS BE THERE...

WEC WILL! *The Washington Environmental Council (WEC) protects Washington's environment and natural heritage for current and future generations.*

WEC works at the state level to educate key decision makers, and to advocate for improved laws and better enforcement of existing laws. With 3,000 members statewide, WEC is a strong voice the environment. Please consider passing this newsletter on to a friend or family member after you have read it. Ask them to join us and help raise the financial and political support we need through increased numbers.

MEMBERSHIP MATTERS!



- Benefactor \$500
- Sustainer \$250
- Sponsor \$100
- Advocate \$50
- Family \$40
- Individual \$30

- Senior/Student \$20
- I am a current member. Please accept my additional contribution of \$_____
- Please send me information about volunteering.

Please mail your contribution to:
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Suite 380
Seattle, WA 98104-2245

Thank you!
WEC is a 501 (c) (3) organization. Your contribution is tax-deductible.

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