

**2022-2023 Development Code Docket  
Forest Conversions Code Update &  
Rural Tree Protection Standards  
Public Hearing Staff Report**

**Date:** August 16, 2023  
**Prepared by:** Andrew Deffobis, Senior Planner  
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**Proponent/Applicant:** Thurston County

**Action Requested:** Provide Recommendation to BOCC on Forest Conversion Code Update

**Location:** Unincorporated Thurston County

**Current Land Use and Zoning:** Various

Comprehensive Plan Changes:  Map Changes  Text Changes  Both  
 Development Code Amendments (Chapters 17.25, 17.27, and Section 14.37.030 TCC)  
 Affected Jurisdictions (Unincorporated Thurston County)

1 **BACKGROUND**

2 The Planning Commission will hold a public hearing on the Forest Conversion Code Update on  
3 August 16, 2023. This update is phase 1 of the “Healthy Forests Project.” At the hearing, staff  
4 will provide an overview of the project and proposed code updates, and summarize public  
5 comments received to date. A follow up work session will be held at a later date.

6 A memorandum with additional project detail was provided to the Planning Commission at their  
7 June 7, 2023 meeting. It is available on [the Planning Commission’s website](#).<sup>1</sup> This project was  
8 docketed by the Thurston Board of County Commissioners (BoCC) to update forest conversion  
9 codes for clarity and consistency with current county goals and ordinances and to produce a  
10 canopy assessment. This project includes four phases:

- 11 • Phase 1 - Forest Conversion Code Update
- 12 • Phase 2 – Tree Canopy Study
- 13 • Phase 3 – Rural Forest Protections
- 14 • Phase 4 – Urban Forest Protections

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16 Subsequent phases will be brought to the Planning Commission for consideration separately as  
17 required.

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<sup>1</sup><https://www.thurstoncountywa.gov/departments/community-planning-and-economic-development/community-planning/planning-commission>

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This project, originally docketed in 2009, is intended to clarify code and make implementation more consistent. It also supports action items in the Thurston Climate Mitigation Plan such as site clearing limits for development and revisions to forestry development codes to align with carbon capture value of trees.

In 2022, the BoCC docketed and prioritized item A-25 Forest Conversion Code Revisions. The BoCC clarified the scope to focus on a review of *rural* tree protection standards, while *urban* tree protection standards and policies will be reviewed and updated through the County’s joint code review and updates (docketed separately as items CPA-1, and JP-2, JP-3, and JP-4).

**DEPARTMENT ANALYSIS**

Draft Forest Conversions code updates are included in Attachment A of this staff report. Proposed amendments include:

***Development Code Amendments (Section 14.37.30 and Chapter 17.25 TCC)***

- Amendments to grading exceptions (Title 14)
- Repeal and replace all sections of Chapter 17.25 TCC
- Amendments to development regulations to clarify language, streamline permit processes, and increase flexibility for landowners

***Development Code Addition (Chapter 17.27)***

- Inclusion of a new chapter to describe Tree Conservation measures.

Based on Planning Commission feedback from August 2022, staff developed a draft code update that considered the following concepts:

1. Clarify and simplify code language
2. Make consistent standards between county and North County UGAs
3. Provide requirements for replanting
4. Require forest conversion applications to be concurrent with development applications
5. Create guidelines to incentivize the retention of significant trees
6. Remove waivers for moratoriums
7. Grant moratorium releases only for single family homes

Proposed changes to the existing code address these concepts in several ways.

***Forest Conversion Standards***

- Conversions would be consistent across unincorporated Thurston County.
- The draft requires applications to be concurrent with development applications.
- Moratorium waiver and hearing examiner review would be removed.
- The draft grants single family home releases from moratoriums.

1 ***Modifications to Conversion Option Harvest Plans (COHP)***

- 2 - The draft removes the requirement for a forester to prepare the application.  
3 - The volume of trees allowed for harvest is proposed to increase to 80% of area.  
4

5 ***Proposed Tree Conservation Chapter***

- 6 - Adds minimum tree density requirements for single family home development.  
7 - Allows for replanting or retention of significant trees.  
8 - Standards provide for consideration of spacing around homes for wildfire prevention.  
9

10 **PUBLIC PARTICIPATION/OUTREACH:**

11 Staff conducted outreach on this project to several key stakeholders and the community.  
12 Stakeholder feedback has been used to identify major themes and develop a range of  
13 considerations for the Planning Commission. Details regarding project outreach were provided to  
14 the Planning Commission in a memorandum dated June 7, 2023. In summary, staff sought input  
15 from forestry professionals, developers, realtors, forest landowners, conservation program  
16 leaders, environmental advocacy groups and neighboring jurisdictions to find out how this code  
17 could be clarified and promote goals of the Comprehensive Plan, Working Lands Strategic Plan,  
18 and Climate Mitigation Plan.

19 Feedback from the groups is listed below with main themes heard in two or more groups shown  
20 in bold.

- 21 • **Concerns about time and cost of permit review**  
22 • **Larger trees offer more effective solutions for stormwater and climate mitigation**  
23 **and should be prioritized for protection**  
24 • **All development should occur with tree conservation in mind**  
25 • **Enforcement of existing codes is not effective**  
26 • **Regulations should be incentive-based rather than requiring enforcement**  
27 • Need clearer definitions on what is exempt and what is allowed  
28 • Difficult to follow codes when each jurisdiction has different rules  
29 • Concerns about logging done on critical areas without erosion control or stormwater  
30 management systems  
31 • Codes are confusing for technical staff and require county interpretation  
32

33 **PLANNING COMMISSION REVIEW:**

34 The Planning Commission held a work session on the proposed code updates on June 7, 2023, and  
35 received information on project background, a summary of existing code and proposed changes,  
36 public outreach and public comments to date.  
37

38 **OPTIONS FOR CONSIDERATION:**

39 Staff have drafted a code update for Planning Commission consideration, informed by outreach  
40 meetings, public comment, and previous Planning Commission work sessions.  
41

42 **SEPA:**

43 An environmental determination for the proposed code amendment in unincorporated Thurston

1 County is required pursuant to WAC 197-11-704, and will be completed prior to a public hearing  
2 on the amendments before the Board of County Commissioners.  
3

4 **NOTIFICATION:**

5 A legal notice for this public hearing was published in The Olympian on July 26, 2023. A webmail  
6 was sent to the Department’s subscriber list on August 9, 2023. Information has also been  
7 published and maintained on [the project’s website](#).<sup>2</sup>  
8

9 **PUBLIC COMMENT:**

10 To date, eight written public comment has been received on the Forest Conversion update. The  
11 comments include multiple substantive suggestions for possible revisions to the draft code.  
12 Public comments, and a summary matrix, are attached to this briefing as Attachment B.  
13

14 **ATTACHMENTS**

- 15 • Attachment A – Draft Forest Land Conversion Code Update (Docket Item A-25)
  - 16 • Attachment B – Public comment summary and written public comment
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<sup>2</sup><https://www.thurstoncountywa.gov/departments/community-planning-and-economic-development-cped/community-planning/trees>

Attachment A – Proposed Forest Lands Conversion Code Amendment

**Thurston County Community Planning and Economic Development  
Department  
Community Planning Division**

**THURSTON COUNTY  
PLANNING COMMISSION**

**ATTACHMENT A – DRAFT CODE AMENDMENT**

August 16, 2023

**Thurston County Forest Lands Conversion  
Code Amendment**

**Section I: Section 14.37.30 Buildings and Construction, Appendix J, Grading**

**Section II: Chapter 17.25 Thurston County Forest Lands Conversion**

**Section III: Chapter 17.27 Tree Conservation Practices**

**Section IV: Section 20.64.040 Major Educational Institution**

**Section V: Section 20.38.030 Cottage Housing Development Standards**

**Section VI: Section 26.05.010 Code Enforcement General Provisions**

Deleted Text:

~~Strikethrough~~

Proposed Changes:

Underlined

Staff Comments: *Italics*

Unaffected Omitted Text ...

*The proposed amendments contained herein are included on the 2022/2023 Official Development Code Docket as Item A-25. Development Code Docket Item A-25 is a legislative proposal to update Chapter 17.25 TCC, Thurston County Forest Lands Conversion Ordinance to revise forest conversion codes pertaining to permit eligibility, processes and moratorium releases. This proposal is comprised of one (4) sections that would be revised, one (1) chapter that would be repealed and replaced, and one (1) chapter that would be added.*

**I. Thurston County Code Chapter 14.37.30 (11) TCC (appendix J, Grading) shall be amended as follows:**

International Building Code sections J103.1 and J103.2 are amended to read as follows; and new section J103.3 is added to read as follows:

J103.1 Permits required. Except as exempted in Section J103.2, no land disturbing activity shall be performed without first having obtained a land disturbing activity construction permit from the County engineer. A separate permit shall be obtained for each site, and for grading activity may cover both excavations and fills. A land disturbing activity construction permit does not include the construction of retaining walls or other structures. Additional requirements related to clearing and grading may be included under the Thurston County Drainage and Erosion Control manual (TCC 15.05) or the Thurston County Critical Areas Ordinance (TCC 24 or TCC 17.15).

J103.2 Exemptions. A land disturbing activity construction permit is not required for the following:

...

11. Cumulative clearing of less than seven thousand square feet annually. However, this exception shall not apply to development proposals:

a. ~~Regulated as a Class IV forest practice conversion under TCC 17.25. Forest practices regulated under WAC Title 222, including approved conversion option harvest plans, and Class IV general forest practices (TCC 17.25) that are conversions from timber land to other uses.~~

b. Within one of the following critical area or critical area review areas under TCC 24 or 17.15.

- i. Erosion, landslide, or marine bluff hazard areas and their buffers;
- ii. Frequently flooded areas, including floodplains;
- iii. Fish and wildlife habitat conservation areas and associated buffers;
- iv. Wetlands and associated buffers.

c. Within shoreline jurisdiction under TCC 19.

~~11. Forest practices regulated under WAC Title 222, including approved conversion option harvest plans, except for Class IV general forest practices that are conversions from timber land to other uses.~~

- II. **Thurston County Code Chapter 17.25 TCC (FOREST LANDS CONVERSION ORDINANCE) shall be repealed and replaced with the following:**

## **Chapter 17.25**

### **Forest Lands Conversion**

#### **17.25.100 Purpose.**

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These regulations are intended to:

- A. Provide procedures and criteria for Thurston County approval of Class IV-General forest practices, conversion option harvest plans (COHP), certain Class I forest practices, and the removal of development moratoria regulated under the Washington State Forest Practices Act, Chapter 76.09 RCW and WAC 222
- B. Implement the Washington State Environmental Policy Act, Chapter 43.21C RCW;
- C. Meet the goals of the Thurston County Comprehensive Plan;
- D. Allow for low density development in rural areas;
- E. Provide consistency between forest conversion policy and other land use and development standards;
- F. Establish processes to release lands from a moratorium placed due to Class II and III permits; and
- G. Establish processes and procedures for the department to review and enforce Class IV-General forest practices permits, conversion option harvest plans, certain Class I forest practices in Thurston County.

(Ord. 11518 § 1 (part), 1997)

#### **17.25.200 Definitions.**

Except as provided for in this section, this chapter will use existing definitions which are already in common use regarding the subject of forest practices. Definitions contained in the Washington State Forest Practices Act (RCW 76.09.020), Rules for the Washington State Forest Practices Act (WAC 222-16), and the Thurston County Code will not be included here.

“Class I, Class II, Class III, Class IV- General, and Class IV- Special forestry practices” as defined in WAC 222-16.50

"Clearing" means the destruction and/or removal of understory vegetation and stumps by manual, mechanical, or chemical methods.

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“Commercial tree harvest” means removing trees to sell, trade or barter any portion of the volume removed.

"Conversion, forest lands" or "forest lands conversion" means cutting and removal of trees for the purpose of converting forest land to non-forestry use.

"Conversion option harvest plan (COHP)" means a voluntary plan developed by the applicant and approved by the department, indicating the limits and types of harvest areas, road locations, and open space. This approved plan, when submitted to the Washington State Department of Natural Resources (DNR) as part of the forest practice application and followed by the applicant, maintains the applicant’s option to convert to a use other than commercial forest product production and (releases the applicant from the six-year moratorium on future development).

“Danger Tree or Hazard tree” defined in TCC 17.15.200

“Department” shall always mean the Community Planning & Economic Development Department, unless otherwise indicated in the specific section.

"Development moratorium" means the department shall deny any and all applications for permits or approvals for a period of time established in Chapter 76.09 RCW. This shall include but not be limited to building permits, septic system permits, right-of-way permits, subdivision approvals, or change of zoning relating to the legal description described on the forest practices permit. The moratorium does not apply to expansions, alterations, or maintenance of existing structures or their accessory structures, nor does the moratorium apply to boundary line adjustments done for purposes of conservation of open space or natural areas.

"Development permit" means a permit issued by the department giving an applicant permission to: perform land disturbing activity; remove vegetation; construct roads, shared accesses, alleyways, driveways, parking areas, impervious surfaces or other hard surfaces; perform grading and/or clearing; and construct stormwater facilities.

“Director” means the Thurston County director for Community Planning & Economic Development, or the director’s designee

“Forest inventory” is a report of the existing tree resources, their species, size, age, and other health characteristics and is prepared by a qualified forester.

"Forest land" as defined in WAC 222-16-10, WAC 222-16-10

“Habitat areas of covered species” means areas where habitat is protected under the Habitat Conservation Plan.

“Harvest area” means that area on which timber harvesting is conducted including that area where soil and/or vegetation has been disturbed or damaged during harvesting, including road construction and landings.

"Logging" means the harvesting or removal of timber. Logging does not include the removal of stumps or under story vegetation. The removal of stumps and under story vegetation is defined as clearing.

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"Natural" means materials present in or produced by nature and not produced or changed artificially.

"New development" means the following activities: land disturbing activities; external structural development including construction, installation, or expansion of a building or other structure; creation of impervious surfaces; Class IV-general forest practices that are conversions from timber land to other uses; and subdivision and short subdivision of land as defined in RCW 58.17.020.

"Non-conversion" means any Class II, Class III, or Class IV-Special Forest Practice as defined by WAC 222-16-050 where land is being retained for uses consistent with timber growing. Examples include but are not limited to the cutting and removal of trees and the replanting for commercial forest production.

"Non-forestry use" means an active use of land which is incompatible with timber growing.

"Qualified forester" means an individual with academic and field experience in forestry or urban forestry. This includes foresters with a degree in forestry from a Society of American Foresters accredited forestry school, or urban foresters with a degree in urban forestry from an accredited institution.

"Shorelines of statewide significance" as defined in Shoreline Management Act

"Tree" means a class of vegetation which is self-supporting, perennial, woody and matures at a height of 20 feet or greater.

"Windfirm" means a tree which is capable of withstanding typical winds for the area.

(Ord. 13040 Attach. C § 4, 2003; Ord. 11518 § 1 (part), 1997)

(Ord. No. 14773, § 10(Att. I), 7-24-2012)

### **17.25.250 Applicability.**

This chapter applies to forest lands as defined by the Washington State Department of Natural Resources (DNR) within the unincorporated territories of Thurston County which are subject to county permitting jurisdiction.

A. New Development. Any development permit resulting in removal of timber shall be approved for a forest land conversion permit unless exempted. This includes land disturbing activities such as:

1. Cutting and/or removal of equal to or greater than five thousand board feet of timber (including live, dead and down material) for personal use (i.e., firewood, fence posts, etc.) in any twelve-month period.
2. Commercial or residential site development
3. Short subdivision

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4. Subdivision
  5. Large lot division
  6. Planned rural residential development
  7. Septic planning and installation
  8. Special use permits
- C. Exemptions. Certain exemptions from forest conversion permitting requirements are defined in TCC 17.25.300
- D. Other Applicable Chapters. An application filed pursuant to this Title shall also comply with the following Titles of the Thurston County Code, including but not limited to:
1. Chapter 14.37, Grading
  2. Title 15, Public Works
  3. Chapter 17.15, Agricultural Uses Critical Areas
  4. Chapter 17.40, Habitat Conservation Plan Implementation
  5. Title 18, Platting and Subdivisions
  6. Title 19, Shoreline Master Program
  7. Title 20, Zoning
  8. Title 24, Critical Areas

### **17.25.300 Exemptions.**

The following activities are exempt from the provisions of this chapter unless proposed on a Shoreline of Statewide Significance:

- A. Class I forest practices,
- B. Agricultural uses outlined in a Farm Conservation Plan as defined in TCC Chapter 17.15.200 where incorporating agroforestry.
- C. Class II, III, and IV-Special forest practices on ownerships of contiguous forest land greater than 20 acres in a UGA where the applicant submits a 10-year statement of non-conversion to the Washington State Department of Natural Resources (reforestation agreement) together with either an acceptable 10-Year Forest Management Plan or proof that the land is currently enrolled in Designated Forest Land, under the provisions of Chapter 84.33 RCW.
- D. Class II, III, and IV-Special forest practices located outside UGAs, which are permitted or approved by the DNR, and do not have an associated conversion option harvest plan.

(Ord. 11518 § 1 (part), 1997)

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(Ord. No. 14773, § 10(Att. I), 7-24-2012)

**17.25.400 Class IV – General Permit requirements.**

A. General Requirements.

1. Class IV-General forest practices shall comply with all applicable provisions of the Thurston County Code, including the Tree Conservation provisions of Chapter 17.27.
2. A Class IV-General forest practices application shall be submitted and approved prior to conducting forest practices on the project site.
3. A Class IV-General forest practices application shall be submitted with a development application for the affected site.
4. A Class IV-General forest practices permit shall comply with any conditions of approval established through the associated development permit.

B. Application Requirements. All Class IV-General applications subject to review under this chapter, shall contain the following, where applicable:

1. A Site Plan:
  - a. As described in TCC Subsection 20.60.30.3(C); and
  - b. Harvest boundaries and tree retention areas; and
  - c. Tree conservation plan consistent with the provisions of TCC Section 17.27.500; and
  - d. Location of all existing and proposed skid roads, haul roads, and landings within the harvest area.
2. A completed "forest lands conversion application" form as provided by the department;
3. A completed environmental checklist when required by the State Environmental Policy Act, the State Forest Practices Act, and Chapter 17.09 of the Thurston County Code;
4. An application fee, as established by resolution from the Thurston County Board of County Commissioners.

C. Field Marking of Site Features. At the time of submittal of any application required pursuant to this Chapter, the applicant shall clearly mark the following features at the site with flagging or colored paint:

1. Critical areas and critical area buffers regulated pursuant to Title 24 TCC, Critical Areas;
2. Landing areas;

- 
3. Tree retention areas; and
  4. Cutting boundaries.

(Ord. 13120 § 2, 2004; Ord. 11518 § 1 (part), 1997)

(Ord. No. 14773, § 10(Att. I), 7-24-2012; Ord. No. 14961, § 3(Att. C), 12-17-2013)

### **17.25.500 Conversion Option Harvest Plan**

- A. A Conversion Option Harvest Plan (COHP) is required to preserve the option to convert forest land to a use incompatible with forestry. Upon approval, this plan exempts the applicant from the development moratorium ordinarily imposed under RCW 76.09. Applicants using this option shall submit a COHP to the department for pre-approval. Once the department has issued a pre-approval, the applicant shall submit the COHP to the Washington State Department of Natural Resources with other required Class II, Class III or Class IV-Special permit application documents. A COHP shall not become final until the department pre-approves the COHP and the DNR issues the associated forest practices permit or notification.
- B. Application Filing. The department shall review a COHP for completeness in accordance with all other Thurston County development regulations and any applicable standards set forth in RCW 76.09 and its rules.
- C. General Requirements.
  1. A COHP shall include the following items:
    - a. a narrative description of the objectives of the timber harvest; and
    - b. timeframe and location of the harvest in relation to future development of the site including expected dates of commencement and completion of all harvest activities; and
    - c. built and natural features present at the site; and
    - d. measures to be taken to preserve and protect critical areas, habitat of Habitat Conservation Plan covered species and shorelines; and
    - e. harvest method, including type(s) of equipment to be used.
  2. The applicant shall submit the COHP prior to development application and conducting forest practices on the project site.
  3. The department shall pre-approve the COHP prior to the applicant submitting the associated forest practices permit to the DNR.
  4. The approval of a COHP does not release an applicant from the requirement to reforest a site pursuant to Chapter 222-34 WAC. The applicant shall reforest the site to the standards of Chapter 222-34 WAC within three years from the issuance of an associated forest practices permit by the DNR unless the applicant has submitted development applications to the department. Applicants shall follow

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standards from TCC Chapter 17.27 when submitting development permits subsequently to COHPs.

5. The COHP shall comply with all applicable standards and provisions of the Thurston County Code and Chapter 76.09 RCW.
6. The COHP shall include retention of trees on twenty percent of the total area of the parcel. Trees retained for other conservation purposes such as conservation easements, open space, critical areas and buffers, and stormwater infrastructure may be included toward the twenty percent retention requirement. Where critical areas, habitat areas for covered species, shorelines and associated buffers are greater than twenty percent, the area to be retained shall increase to allow for required protections. Retained trees shall:
  - a) Be similar in scale to the average relative size and type of the harvested trees. Where possible, the largest trees shall be prioritized for retention.
  - b) Commercial harvests done within a COHP shall submit timber cruise documentation.
  - c) Trees shall be conserved in clusters to avoid windthrow potential.

D. Burden of Proof. The applicant has the burden of proving that the COHP complies with the provisions of this Chapter.

### **17.25.600 Administration.**

A. Authority and Duties of the Department and Director.

1. The department shall administer the provisions of this chapter.
2. The department has the authority to review applications, issue permits, impose conditions, and conduct inspections as necessary to assure compliance with the provisions of this Chapter.
3. The department may approve an application for a conversion option harvest plan (COHP), approve the application with conditions, require modification of the proposal to comply with specified requirements or local conditions, or deny the application if it fails to comply with requirements of this Chapter.
4. The department shall coordinate with other state and local forestry representatives regarding the implementation of this Chapter.
5. When choosing to submit a COHP, applicants shall submit a pre-approved COHP application to the Washington State Department of Natural Resources (DNR) in association with the pertinent Class II, III, or IV-Special forest practices application. A COHP shall not be final until the department pre-approves the COHP and the DNR issues the associated forest practices permit and notification to the department.

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B. Application Procedure and General Conditions. The department shall process applications for forest lands conversion according to the same permitting procedures described in Chapter 20.60 of the Thurston County Code. For purposes of this chapter:

1. A Type I process involves any proposed forest lands conversion that requires a county permit but does not require an environmental checklist. A COHP shall follow the Type I process.
2. A Type II process involves any proposed forest lands conversion that requires a county permit and an environmental checklist. A release from moratorium for a single-family residence shall follow the Type II process.
3. A Type III process involves any proposed forest lands conversion associated with any other Type III process provided for by the Thurston County Code.
4. The department shall forward a copy of the conversion forest practices and the county's action to the Thurston County assessor for their use.
5. A forest land conversion approval by the department is valid for a period of one year or the duration of the associated development permit or approval.
6. The department may approve an amendment to the approved forest lands conversion permit if the amendment is consistent with the conversion standards. If granted, the department shall provide a written record of the amendment and will provide a copy of it to the applicant.
7. The applicant shall post the Class IV-General permit on the site prior to the initiation of timber harvest and until the harvest is finished. The applicant shall post the permit at the main entrance to the property, visible to the general public without having to trespass on the site.

C. Appeals. Any aggrieved person may appeal an administrative decision made under this chapter to the Thurston County hearing examiner. Such appeals are governed by Chapter 2.06 TCC. The decision of the hearing examiner on an appeal under this chapter is final. The hearing examiner shall not entertain motions for reconsideration. The decision of the hearing examiner may only be appealed to Superior Court pursuant to the Land Use Petition Act, Chapter 36.70C RCW, or other applicable statute.

(Ord. 13120 § 3, 2004; Ord. 11518 § 1 (part), 1997)

(Ord. No. 14773, § 10(Att. I), 7-24-2012; Ord. No. 14961, § 3(Att. C), 12-17-2013)

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### **17.25.700 Development moratorium requirements.**

- A. General Requirements. Where development moratoria apply, the department shall not accept any applications for permits or approvals relating to non-forestry uses of land (e.g., building permits, development applications, project construction, subdivision approvals) for a period of six years from the approval date of the applicable forest practices application or from the date unpermitted activities were reported.
- B. Applicability of Development Moratorium. The applicability of 6-year development moratoria pursuant to Chapter 76.09 RCW will be as follows:
1. The department will place a 6-year development moratorium on a property where any forest practices have been conducted in violation of Chapter 76.09 RCW or its rules, and Chapter 17.25 TCC including failure to comply with the conditions of an approved forest practices permit or failure to obtain required forest practices permits or approvals.
  2. The department will place a 6- year development moratorium on all properties with approved Class II, III, or IV-Special forest practices which do not have an associated conversion option harvest plan (COHP).
  3. The department will place a 6- year development moratorium on properties where a violation of an approved COHP or a violation of a condition of a COHP approval have been conducted.
- C. Consequences of a Development Moratorium.
1. The department shall not accept a development proposal for land that is subject to a 6-year development moratorium, unless it is associated with a single-family dwelling exception set forth in Section 17.25.700(E) TCC.
  2. In cases where a development moratorium is imposed on a site that is subject to pending development applications, the department shall immediately deny the applications.
  3. The department shall provide notice of the moratorium to the applicant prior to the denial of development permit applications and shall allow the applicant 30 days from the date of the notice to apply for moratorium release according to Section 17.25.700(E) TCC.
  4. If an application for moratorium release is received during the 30-day period, the department shall postpone denial of any development permit applications until a decision on the moratorium release is rendered.
  5. If an applicant violates a forest practices permit including a COHP, the department shall apply all development moratoria to the harvest area indicated in the permit.
  6. If no forest practices permit was issued, the department shall apply the development moratorium to the entire parcel.

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D. Allowable activities. Applicants may perform any of the following activities on any parcel that is subject to a development moratorium:

1. The division of land into lots provided the proposed division meets the minimum lot size or density requirements in Title 18 TCC.
2. Repair or remodeling within the existing footprint of existing structures.
3. Reconstruction of a structure damaged or destroyed due to fire, explosion, wind, flood, earthquake, or other similar calamity.
4. Essential Public Facility uses specified under the Special Use Chapter, TCC Chapter 20.54.
5. A development permit application may be submitted, reviewed and approved to address any site development violations on the site.
6. Applicants may submit critical area, shoreline, and habitat conservation plan applications to address any related violations on the site.
7. The department may review and approve critical area, shoreline and habitat conservation plan applications to address any related violations on the site.

E. Moratorium Release for Single-Family Dwelling. The director may administratively grant a release from the mandatory 6-year development moratorium to allow the construction of one single-family dwelling unit and associated accessory structures, including septic system and wells, pursuant to the following standards:

1. General Requirements.

- a. Applicants shall not submit a request for single-family dwelling moratorium release until after the associated Washington State Department of Natural Resources (DNR) forest practices permit has been closed or withdrawn by the DNR.
- b. The department shall not permit area for development released from a moratorium to exceed two acres in size.
- c. If violations to forest practices permits have occurred, the applicant shall record a memorandum of agreement (MOA) with the Thurston County Auditor upon approval of a single-family dwelling moratorium release. The MOA shall identify the actions the applicant shall take to correct any violations of County ordinances or regulations.
- d. When the moratorium was imposed as a result of harvesting under an approved Class II, Class III, or Class IV-Special forest practices permit, the applicant shall wait three years from the effective date of the forest practices notification. The three-year waiting period may be waived if:
  - i. the applicant provides the department information that no regulated shorelines, habitat areas of covered species, or critical areas were impacted by forest practices; and

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- ii. the applicant preserved regulated shorelines, habitat areas of covered species, or critical areas during forest practices pursuant to applicable provisions of the Thurston County Code; and
  - iii. the applicant provides proof that sufficient plant materials were purchased to reforest the area according to the (DNR) forest practices permit and photos of the replanted site in lieu of a site visit.
  - e. The department shall not waive the three-year waiting period if the department placed a moratorium as a result of unpermitted harvesting or a violation of an approved COHP or Class IV-General forest practices permit.
  - f. The department shall determine compliance with County regulations as part of the request for single family dwelling moratorium release.
  - g. The applicant may submit an application for a building permit concurrently with the request for single family dwelling moratorium release; however, if the department determines that regulated shorelines, habitat areas of covered species, or critical areas were impacted by logging activities, the 3-year waiting period applies.
  - h. The department shall retain the development moratorium for all other non-forestry uses of the property.
  - i. Applicants may only submit one request for single family dwelling moratorium release for each parcel during the 6-year development moratorium.

F. Rescission of Moratorium. Upon request of the applicant, the moratorium may be rescinded by the department if an approved forest practices application has been either withdrawn or expired, and no harvest has taken place.

(Ord. 11518 § 1 (part), 1997)

(Ord. No. 14773, § 10(Att. I), 7-24-2012)

### **17.25.800 Violations and enforcement.**

Violations of this chapter shall be enforced through the provisions of Title 26 TCC.

(Ord. No. 15274, § 2(Att. B)Z, 2-23-2016)

Editor's note(s)—Ord. No. 15274, § 2(Att. B)Z, adopted Feb. 23, 2016, amended § 17.25.800 in its entirety to read as herein set out. Former § 17.25.800 pertained to civil infractions, and derived from Ord. 11518 § 1 (part), 1997; Ord. 12761 § 4, 2002; Ord. No. 14773, § 10(Att. I), 7-24-2012; Ord. No. 14961, § 3(Att. C), 12-17-2013.



III. Thurston County Code Chapter 17.27 TCC (TREE CONSERVATION PRACTICES) shall be added as follows:

**Chapter 17.27**  
**Tree Conservation Practices**

**17.27.100 Purpose.**

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These regulations are intended to:

- A. Establish standards for tree conservation;
- B. Fulfill goals stated in the Thurston County Comprehensive Plan for preserving tree canopy;
- C. Conserve large existing trees and enhance forest lands;
- D. Preserve important ecosystem benefits that trees provide such as managing stormwater runoff, improving air quality, providing habitat, and increasing carbon storage;
- E. Allow forest thinning to improve the health of a tree stand and reduce fire hazards;
- F. Allow for clearing around dwellings to maintain defensible space in the wildland urban interface; and
- G. Allow for flexibility in design of new development.

(Ord. \_\_\_\_\_ § 1 (part), 2023)

**17.27.200 Definitions.** Except as provided for in this section, this chapter will use existing definitions which are already in common use regarding the subject of forest practices. Definitions contained in the Washington State Forest Practices Act (RCW 76.09.020), Rules for the Washington State Forest Practices Act (WAC 222-16), and the Thurston County Code will not be included here.

“2-0 seedling” means a seedling that is 2 years old having been grown in a seedling bed outdoors. These seedlings also have no soil on their roots when they are transplanted.

“Carbon storage” means the retention of carbon dioxide in trees and underground reservoirs to prevent it from escaping into the earth's atmosphere

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"Critical root zone" means the area in which the tree's roots are located. This root zone is generally the area surrounding a tree at a distance which is generally equal to one foot for every d.b.h inch of tree.

"Defensible space" means the area around a structure when it is managed to slow wildfire spread by reducing ignition points and combustible materials.

"Diameter breast height (DBH). The outside bark diameter at breast height. Breast height is defined as 4.5 feet (1.37m) above the forest floor on the uphill side of the tree. For the purposes of determining breast height, the forest floor includes the duff layer that may be present, but does not include unincorporated woody debris that may rise above the ground line.

"Forest Inventory" means a document which uses a vegetation survey used by qualified foresters to identify the age, size and species of trees and other plants in a forest.

"Forest Management Plan" means a document which determines timing and extent of management activities to increase health or growth goals for a particular group of trees.

"Heritage Trees" means any tree over 40 inches DBH or those which are historically or culturally significant at any size and are identified in a list managed by recognized community groups.

"Landmark trees" any trees over 24 at DBH with the exception of the following species which are classified as landmark trees at different sizes:

- Cascara over 8"
- Madrone over 8",
- Pacific Yew over 8",
- Lodge pole or shore pine over 12"
- Vine maple over 12".

"Mature tree" means a tree close to maximum height, can produce seeds or fruit, and exhibiting reduced shoot elongation.

"Mature tree canopy" means the expected size of a tree's canopy when it reaches maturity.

"Minimum tree unit density" means the least tree units that are required to be grown on an acre of land.

"Replacement seedlings" means seedlings of no less than type 2-0 or 2 years old with bare roots that are used to reforest a site after development has occurred.

"Significant Trees" means any tree over 4 inches DBH.

"Thinning" means to reduce the density of vegetation so that retained individuals can flourish.

"Timber Cruise" means a vegetation survey used by commercial qualified foresters to determine the volume of standing timber in a forest.

---

“Tree conservation plan” is a document that provides information about the trees that are intended for removal and those that are intended for retention.

“Tree units” is a value assigned to categories of trees based on size and relative ecological value.

### **17.27.300 Applicability.**

The standards of this Chapter apply to any development application requiring a Class IV – General forest practices application with the following exemptions:

- A. Multifamily, commercial, and industrial development which is subject to the landscaping standards in TCC Title 18 and 20
- B. Applications subject to the platting and subdivision standards in TCC Title 18
- C. Construction, reconstruction or maintenance of public roads, paths, bicycle ways, trails, bridges, sewer lines, utilities, storm drainage facilities, related critical area mitigation activities and other similar public infrastructure excluding public buildings.
- D. Other Applicable Chapters. An application filed pursuant to this Title shall also comply with the following Titles of the Thurston County Code, including but not limited to:
  1. Chapter 14.37, Grading;
  2. Title 15, Public Works;
  3. Chapter 17.15, Agricultural Uses Critical Areas;
  4. Chapter 17.25 Forest Conversions
  5. Chapter 17.40, Habitat Conservation Plan Implementation
  6. Title 18, Platting and Subdivisions;
  7. Title 19, Shoreline Master Program;
  8. Title 20, Zoning
  9. Title 24, Critical Areas
  10. Drainage and Design Erosion Control Manual

### **17.27.400 Tree Conservation Standards.**

#### A. Minimum Tree Unit Density

1. All sites which are subject to provisions in this chapter shall retain or replant trees to maintain an average of 100 tree units per acre.
2. As trees grow, thinning is allowed to maintain appropriate density.

B. Tree Units. All trees on-site that meet the standards of this Section and are retained may be counted toward the minimum tree unit requirements. Tree units are also established in this chapter for replacement seedlings.

C. Standards – General.

1. Construction Buffer. No construction shall occur within the anticipated mature critical root zone of a tree planted or retained to meet tree unit density requirements.
2. Restored areas and replanted trees shall be recorded on a form provided by the department, the final plat, and in the abbreviated drainage plan as applicable.
3. Defensible space. The department shall refer to the provisions for defensible space found in WAC 51-55-0500.
4. Landmark Trees. At a minimum, applicants shall retain 30 percent of landmark trees on site, preferably reflective of the diversity of species and age within the stand, up to the minimum tree density requirements. All retained landmark trees shall be shown to be windfirm. To determine quantities of trees using a survey, standards shall follow accepted industry methods as determined by a qualified forester.
5. Heritage Trees. At a minimum, 70 percent of heritage trees on site shall be retained, up to the minimum tree density requirements. All retained heritage trees shall be shown to be windfirm. Where a sampling method is proposed for treed project sites, standards shall follow accepted industry methods as determined by a qualified forester.

Table 17.27.400-1. Tree Conservation Categories(1)

| <u>Tree Category</u>   | <u>Size</u>  | <u>Tree Credits</u> |
|--|--|---------------------|
| <u>Replacement Seedling</u>  | <u>Shall be at least 2-0 seedling</u>  | <u>1</u>            |
| <u>Significant Trees</u>   | <u>Over 4” DBH</u>   | <u>5</u>            |
| <u>Landmark (Exceptional) Tree (any species) (Specimen Trees) (Rare)</u> | <u>Over 24" DBH or greater; except:</u> <ul style="list-style-type: none"> <li>• <u>Cascara over 8”</u></li> <li>• <u>Madrone over 8”</u>,</li> <li>• <u>Pacific Yew over 8”</u>,</li> <li>• <u>Lodge pole or shore pine over 12”</u></li> <li>• <u>Vine maple over 12”</u></li> </ul> | <u>30</u>           |
| <u>Heritage Trees</u>  | <u>40" d.b.h. or greater; or</u>   | <u>50</u>           |

| Tree Category | Size   | Tree Credits |
|---------------|--|--------------|
|               | <u>historically or culturally significant at any size and are identified in a list managed by recognized community groups.</u> |              |

Footnote:

- (1) See also habitat protection standards for Oregon White Oak trees/stands in TCC Chapter 24 (add subsections).
  
6. Retained Trees. Trees to be retained on site shall meet the following minimum standards to be credited toward the tree unit density requirements of this Section:
  - a. Post-development life expectancy of greater than 10 years; and
  - b. Relatively sound and solid trunk with no extensive decay or hollow and no significant trunk damage; and
  - c. No major insect or pathological problem; and
  - d. No significant crown damage; and
  - e. Full branching and general proportionality in height and breadth for the tree age; and
  - f. Individual trees and groupings of trees proposed for retention shall be wind-firm in their post development state; and
  - g. Trees from fifteen to one hundred feet of any proposed structure shall be pruned to remove limbs up to eight feet high; and
  - h. Heritage trees and those located within a critical area or shoreline and associated buffers may be credited toward the tree unit density requirements, regardless of the health or state of the tree.
  
7. Replacement Trees. Each tree proposed for planting shall meet the following minimum standards to be credited toward satisfying the tree unit density requirements of this Section:
  - a. Trees shall be free from injury, pests, diseases and nutritional disorders and shall be fully branched and have a healthy root system;
  - c. Trees utilized for planting shall be a minimum 2-0 seedling size;
  - d. Trees planted shall include a mix of coniferous and deciduous trees, with a minimum of 30 percent coniferous, unless the area is deemed to have been Oregon white oak habitat, in which case the standards in Title 24 TCC, Development Regulations – Critical Areas, shall apply; and
  - h. Trees may be planted on a solitary basis or within clusters to form stands.

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D. Tree Conservation Plans. Applicants shall provide sufficient information regarding tree conservation to support the design and location of all proposed developments.

1. Tree Conservation Plan.

- a. Applicants shall prepare, submit, and receive approved for the tree conservation plan prior to or concurrent with the approval of an associated development permit.
- b. Applicants shall draw plans to the same scale as the development permit site plan, show approximate locations of trees to be retained or planted, and shall meet the applicable standards of TCC Section 17.27.400.
- c. A qualified forester shall prepare the plan.
- d. The applicant may substitute the tree conservation plan with a forest management plan, provided it contains the same details.
- e. The department shall require a tree conservation plan for any development which is subject to the standards of this Chapter unless one or more of the following applies:
  - i. Applicant does not reduce the original vegetation lower than an average of 200 tree units per acre; or
  - ii. Applicant does not remove vegetation from over 80% of the parcel; or
  - iii. The only trees on the site exist in a critical area such as, but not limited to, a steep slope or wetland/buffer, shoreline or habitat of covered species where provisions in TCC 24 would apply; or
  - iv. Existing trees are less than 4" DBH in diameter and are not proposed to be retained to satisfy tree unit requirements.

2. The plan shall include:

- a. Tree unit density calculations, including the estimated volume of timber proposed to be removed from the site; and
- b. Labels for all landmark, heritage and protected trees including species name and DBH; and
- c. Drip-lines of retained individual trees or tree clusters outlined on the site plan.
- d. The mature tree canopy shall be shown for each tree proposed for retention and/or replacement tree, when such trees are located within 100 feet of a buildable area to identify and minimize potential future conflicts between such trees and adjacent infrastructure and defensible space.
- e. The applicant may substitute a timber cruise or forest inventory where information is duplicative to the tree conservation plan.

E. Replacement Trees.

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New plantings shall consist of tree species native and appropriate to the area and shall be planted between October to February.

F. Survivability

1. Applicants shall detail care instructions for the first two (2) years of the planting to include watering frequency, maintenance of protective structure, removal of adjacent vegetation. This document will be included with the tree conservation plan.

**17.27.500 Violations and enforcement.**

Violations of this chapter shall be enforced through the provisions of Title 26 TCC.

(Ord. \_\_\_\_\_ § 1 (part), 2023)

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**IV. Thurston County Code Chapter 20.64.040 (Design Standards for Major Educational Institutions) shall be amended as follows:**

Site development plans shall conform with the following standards:

...

4. All landscaping shall be provided in accordance with [Chapter 20.45](#). In addition:

...

- ii. In required landscaping areas, the applicant shall retain ~~significant landmark~~ landmark trees which do not constitute a safety hazard. This includes trees over sixty feet in height and sixteen inches in diameter measured twenty-four inches above grade.

---

**VI. Thurston County Code Chapter 20.38.030 (Development standards for Cottage Housing) shall be amended as follows:**

...

P. Landscaping.

1. The cottage housing development shall be designed with goal of retaining ~~significant~~ landmark trees which will not create a safety hazard.

---

**V. Thurston County Code Chapter 26.05.010 TCC (Code Enforcement General Provisions) shall be amended as follows:**

**26.05.010 – Purpose**

- A. This title is adopted for the purposes of governing enforcement remedies for the following codes or as subsequently amended: Roads and Bridges (Title 13 TCC), Buildings and Construction (Title 14 TCC), Thurston County Stormwater Standards (Chapter 15.05 TCC), Sewer Systems (Chapter 15.09 TCC), Water Systems (Chapter 15.10 TCC), Cross-connections (Chapter 15.11 TCC), State Environmental Policy Act (Chapter 17.09 TCC) Agricultural Activities Critical Areas (Chapter 17.15 TCC), Mineral Extraction and Asphalt Production (Chapter 17.20 TCC), ~~Thurston County Forest Lands Conversion Ordinance~~ (Chapter 17.25 TCC), Tree Conservation Practices (Chapter 17.27), Platting and Subdivisions (Title 18 TCC), Shoreline Master Program for the Thurston Region (Title 19 TCC), Zoning Ordinances (Titles 20, 21, 22, and 23 TCC), Critical Areas Ordinance (Title 24 TCC), Habitat Conservation Plan Implementation Ordinance (Chapter 17.40) and including any permit, permit condition, or other remedy issued pursuant to any of the codes listed above. This title hereby replaces and supersedes all code provisions referenced therein.

# Attachment B - A-25 Public Comments and Summary Matrix

| Unique ID | Date      | Name           | Topic  | Summary of Comment  | County Response            | Response Date |
|-----------|-----------|----------------|--|---|----------------------------|---------------|
| 1         | 6/6/2023  | Leonard Bauer  | Moratorium Release                                 | Identifies that allowing people to subdivide during a moratorium and then allowing a single family residence release will not prevent subdivisions from being developed after logging using a DNR permit.   | Comment included on record | 7/27/2023     |
| 2         | 6/7/2023  | Betsy Norton   | Large Tree Preservation                            | Suggests protections for trees starting at 30" dhb, a program with trackable goals to incentivize tree protections, using calculator to determine climate impact reduction, ensure DNR fire safety regulations are followed, and use local climate science to inform and update policies.   | Comment included on record | 6/9/2023      |
| 3         | 6/7/2023  | Lynn Fitz-Hugh | COHP   | Concerned about COHP not requiring a forester and allowing up to 80% harvest.   | Comment included on record | 6/6/2023      |
| 4         | 6/14/2023 | Lynn Fitz-Hugh | Tree Classifications                               | Requesting tree class names match with cities and other jurisdictions. Appreciates protections for larger trees.  | Comment included on record | 7/27/2023     |
| 5         | 6/14/2023 | Ken Miller     | Forest Management Practices and Forest Conversions | Identifies concerns with misinformation regarding climate impacts of small vs large trees, non-management forestry strategies in protective language, stormwater run-off management and tree preservation, critical area protections applied during harvest. Also suggests eliminating release of moratoriums, allowing for growing new trees on a site after disturbance, limiting the requirements for professional services. | Comment included on record | 6/15/2023     |
| 6         | 7/12/2023 | Lynn Fitz-Hugh | Enforcement  | Suggested enforcement through professional liensing for loggers and foresters, revoking licensed upon violations.   | Comment included on record | 7/27/2023     |
| 7         | 7/14/2023 | Mike Jackson   | Development feasibility                            | Concerned about costs for COHP and difficulties associated with tree conservation plans.  | Comment included on record | 8/1/2023      |
| 8         | 7/26/2023 | Lynn Fitz-Hugh | Tree Classifications                               | Requesting tree class names match with cities and other jurisdictions.  | Comment included on record | 7/27/2023     |

**From:** [Leonard Bauer](#)  
**To:** [Dana Bowers](#)  
**Cc:** [kfoley](#); [Ashley Arai](#)  
**Subject:** RE: Forest Conversion Ordinance  
**Date:** Tuesday, June 6, 2023 7:59:18 PM

---

Thank you very much for the opportunity to comment on this draft, Dana. Kym may also have comments, but I'll share mine here for now and look forward to any she may also have.

My comments pertain to pages 13-14 of 20 of the draft ordinance, which include section 17.25.700 TCC:

Section D.1 Allows for divisions of properties under moratorium

Section E allows the Director to administratively release the moratorium for single-family homes if several general requirements in Section E.1 are met. These include:

Section E.1.h. A building permit may be applied for concurrently with the land use review of the general requirements.

Section E.1.j. Only one single-family permit may be submitted for each parcel during a moratorium.

My comments/questions are:

1. Related to E.1.h. Are procedures or tracking in place to ensure a building permit applied for concurrently cannot be granted by the building department before completion of the land use review to determine whether the application meets all the general requirements?
2. Related to E.1.j. How does this section interrelate with Section D.1? Would this draft ordinance allow a property under moratorium to be divided into multiple lots under D.1, then have a single-family permit submitted for each of those lots under E.1.j?

Thanks again for the chance to ask these questions. I believe Olympia would have concerns if either of these scenarios could be allowed on properties under moratorium, as they could essentially result in de facto single-family developments on properties that are under moratorium from development.

***Leonard Bauer, FAICP***

Community Planning & Development Director  
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**From:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>

**Sent:** Thursday, June 1, 2023 3:57 PM

**To:** Leonard Bauer <lbauer@ci.olympia.wa.us>

**Cc:** Kym Foley <kfoley@ci.olympia.wa.us>; Ashley Arai <ashley.arai@co.thurston.wa.us>

**Subject:** FW: Forest Conversion Ordinance

Hi Leonard,

I wanted to reach out and let you know the Healthy Forest Project has been passed to me since Ashley accepted the role of Ag. Program Manager for the county. I am grateful that she has made such a great foundation for this work and look forward moving through the process with the concepts and scope the board and planning commission outlined with her.

Draft code revisions are complete and ready for review and I would greatly appreciate any comments you have. You can find them on the Healthy Forest Project webpage under the documents section. We have a new handy url to get there – [www.thurstonforests.org](http://www.thurstonforests.org).

Once these code revisions are adopted in the winter, we will be moving forward to code changes for Subdivisions and Zoning related tree protections to make sure they align. Then we will work more directly with you on code updates for the UGA that will live in the joint code.

I have also spoken with Kym Foley about some of the proposed next steps with regard to the Tree Canopy Analysis grant for which we partnered with Olympia. These include updating the comprehensive plan with a more robust tree canopy goal which recognizes the differences between working forest lands and protected forests and outlines actions or a programmatic approach to ensuring those goals are met.

Let me know if you have time to chat about your thoughts or if you'd just like to send a marked up PDF with your comments.

Thank you!

Dana

---

**From:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>

**Sent:** Thursday, June 1, 2023 8:58 AM

**To:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>

**Subject:** FW: Forest Conversion Ordinance

Correspondence chain with Olympia for your reference.

**Ashley Arai** | Agriculture Community Program Manager  
**Thurston County Community Planning & Economic Development**  
**Community Planning Division**  
3000 Pacific Ave SE, Olympia, Washington 98501  
**Cell (Primary):** (360) 280-9298

---

**From:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
**Sent:** Monday, August 8, 2022 4:05 PM  
**To:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>  
**Cc:** Michelle Bentley <[mbentley@ci.olympia.wa.us](mailto:mbentley@ci.olympia.wa.us)>; Pamela Braff <[pbraff@ci.olympia.wa.us](mailto:pbraff@ci.olympia.wa.us)>; Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** Re: Forest Conversion Ordinance

Much appreciated, Ashley!

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**From:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>  
**Sent:** Monday, August 8, 2022 10:55:42 AM  
**To:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
**Cc:** Michelle Bentley <[mbentley@ci.olympia.wa.us](mailto:mbentley@ci.olympia.wa.us)>; Pamela Braff <[pbraff@ci.olympia.wa.us](mailto:pbraff@ci.olympia.wa.us)>; Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** RE: Forest Conversion Ordinance

Hi Leonard,

Your thoughts on the moratorium releases is very helpful. As I start drafting the package of code amendments, I can specify different options for inside / outside the North County urban growth areas. Once I have draft language to share, I will sure to send it your way for more specific feedback.

In the meantime, if you have any additional thoughts or ideas, don't hesitate to send them my way.

Thanks!

Ashley

---

**From:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>  
**Sent:** Friday, August 5, 2022 11:07 AM  
**To:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>  
**Cc:** Michelle Bentley <[mbentley@ci.olympia.wa.us](mailto:mbentley@ci.olympia.wa.us)>; Pamela Braff <[pbraff@ci.olympia.wa.us](mailto:pbraff@ci.olympia.wa.us)>; Joyce Phillips <[jphillip@ci.olympia.wa.us](mailto:jphillip@ci.olympia.wa.us)>  
**Subject:** FW: Forest Conversion Ordinance

Thanks very much for sharing the slides and summary of County PC discussion so quickly, Ashley! I believe the City is generally very supportive of the County's efforts to strengthen and simplify its forestry codes, because it would be a step in the direction of carrying out the regional climate mitigation plan. The outlined concepts in your slides seem like the right direction, with one exception that I've mentioned to you before.

We have significant concerns about any provisions that allow for moratorium releases within the Olympia UGA. Property owners agree to the moratoriums when they obtain their harvest permits, so it seems unnecessary to have a process for breaking that agreement, especially just three years later, except perhaps in emergency circumstances.

These moratorium releases are also contrary to the purpose of designating UGAs, which is to plan to accommodate future population at urban densities. A two-acre property is rather large within the UGA, and could accommodate dozens of housing units depending on the zoning already adopted via the Joint Plan. Providing a relatively simple process for a property owner to break their moratorium agreement to put a single-family home on that two-acres prevents that property from being developed at urban densities as called for in our Joint Plan.

I hope we can have further opportunities to discuss our concerns with moratorium releases, as well as to lend support to the other concepts in your slides. We really appreciate the chance to collaborate with you!

### ***Leonard Bauer, FAICP***

Community Planning & Development Director

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**From:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>

**Sent:** Thursday, August 4, 2022 4:30 PM

**To:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>

**Subject:** Forest Conversion Ordinance

Hello Leonard,

I hope your week is going well. The presentation to the Planning Commission last night was very constructive. They supported all of the concepts we shared for updating the forest conversion ordinance, which included:

- Protections for significant / legacy trees. I explained that this may look more like a minimum tree density requirement, similar to Pierce County's tree conservation provisions: <https://pierce.county.codes/PCC/18J.15.030>
- Replanting requirements tied to minimum tree densities
- Requirements for concurrent development applications
- One set of standards for all rural areas and urban growth areas as long as the current tree protection provisions for North County UGAs remain in place or are strengthened

Moratorium releases limited to single-family homesites 2 acres or less with requirements for reforestation

- Incentives for using climate-smart forestry practices, and replanting beyond minimum requirements

I've also attached the presentation I shared with my notes. Please don't hesitate to reach out if you have any questions or want to chat more about next steps. I plan to do additional stakeholder outreach this summer and continue working on a draft package of code amendments to share with Planning Commission this fall.

Best regards,

Ashley

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**From:** Leonard Bauer <[lbauer@ci.olympia.wa.us](mailto:lbauer@ci.olympia.wa.us)>

**Sent:** Thursday, July 28, 2022 1:02 PM

**To:** Ashley Arai <[ashley.arai@co.thurston.wa.us](mailto:ashley.arai@co.thurston.wa.us)>

**Subject:** Forest Conversion Ordinance

Hello, Ashley,

I see that the County Planning Commission will be considering changes to the forest conversion ordinance. I was just wondering if you could tell me if any changes are being considered that would affect properties within the Olympia UGA? If so, we'd like to request a copy of the draft ordinance or a summary of the proposed changes. Or feel free to just call me if it would be easier to discuss by phone. Thanks very much!

***Leonard Bauer, FAICP***

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**Working Together To Make A Difference**

Re: Development Code Amendment Docket item / Phase 1

6/7/2023

The context for my comments is the belief that climate change is upon us: We have only until 2050 or so to hold or reverse course, and the decisions that Thurston County makes are part of whether we succeed or fail at this. Furthermore, as a constituent who owns property and pays homeowner's insurance and storm water fees, I want the county to ensure they approve projects which do not add unnecessary demand on our storm water systems, electrical gride, or demand for flood and fire emergency teams, which will impact me through insurance premiums and higher utility rates and taxes. To illustrate, please see this article on State Farm pulling out of California for fire insurance ... <https://www.marketwatch.com/story/state-farm-cracks-down-on-california-wildfire-insurance-what-it-means-for-all-homeowners-7e893503>

I support rules changes that result in improved climate resiliency of Thurston County. In particular, preserving mature trees is important, due to their outsized ability to mitigate a number of climate change concerns, especially compared to built structures and replacement trees, which take multiple decades to achieve maturity.

I also have a couple of suggestions:

- 1) I would recommend that the definition for 'legacy' trees be revised to 'mature' trees of DBH of 30" rather than 40". DNR typically expects commercial forests to gain maturity for harvesting in approximately 40 years (western WA), which seems like a better standard for tree canopy/maturity for purposes of climate change mitigation.

To support this suggestion, I checked the DBH for common trees using a calculator, <https://www.omnicalculator.com/biology/tree-age>

- Douglas Fir – DBH of 26 = 41 years
- American Elm – DBH of 32 = 41 years
- Colorado Blue Spruce = DBH of 28 = 40 years

- 2) If you intend to rely on incentives rather than enforcement of these rules, I recommend that Thurston County establishes and funds a program for setting quantifiable goals for those incentivized actions, and measures and tracks the resulting compliance levels in comparison to the goals. This data should be at least annually reviewed, and this strategy assessed and possibly adjusted if the results fall short of expectations.
- 3) I suggest as an operational task that when Thurston County reviews developer applications especially for conversions, including COHP's – they use a quantifiable mechanism for measuring the forecasted reduction in climate mitigation functionality. This could be done by using an estimating formula to calculate a quantifiable estimate of the current climate change impacts of the un-built environment for mitigation functions, calculate an estimate of the climate change impact of the built environment as proposed, both in year 1 of its completion and the forecasted year (20/40, e.g.) when any reforestation or replanting will be fully mature, and calculate the difference between the current and as-built forecast.

The Thurston County approvers will then have quantifiable information documented as to the expected net reduction in climate change mitigation ability as a result of the development and will be approving it in full light of this reduction. Over time, something

like this could provide a standard for evaluating climate change impacts that is comparable across projects and provides a way to demonstrate the approval process is fair and consistent and remediation requests predictable.

- groundwater retention (e.g., large trees vs. built structures vs. saplings) avoids demand on stormwater systems.
  - Shade cover: Shade reduces peak energy demands in the summer and reduces warming in streams and lakes.
  - Habitat: Preserving habitat helps with overall ecosystem functioning and in urban residential environments, controls pests.
  - Carbon Sequestration: large trees sequester more than small trees; both sequester more than built structures. This is an important tool to fight climate change.
- 4) Ensure, especially if you are no longer requiring professional forester advice, that plans for development and tree health meet evolving DNR fire safety recommendations.
- 5) Ensure you are keeping abreast of the latest science on climate change and using good sources of generic and local information on what is happening and what can be done from a policy point of view. UW has an excellent site for this - see their Climate Impact Group's site. <https://cig.uw.edu/>

Thank you.

Betsy Norton  
1405 Evergreen Park DR SW #103  
Olympia, WA 98502

Some background articles:

- Old-growth trees more drought tolerant than younger ones, providing a buffer against climate change: <https://www.sciencedaily.com/releases/2022/12/221201123148.htm>
- Tree Carbon Sequestration potential: <https://www.science.org/doi/10.1126/science.aax0848>
- Local Govt Guidebook for Climate Change: <https://cig.uw.edu/publications/preparing-for-climate-change-a-guidebook-for-local-regional-and-state-governments/>
- Stormwater Management assessment: <https://cig.uw.edu/publications/costs-and-benefits-of-stormwater-management-case-study-of-the-puget-sound-region/>
- Tree impact /need to do more to protect forests: <https://time.com/6213444/how-do-trees-affect-climate-change/>

**From:** [Lynn Fitz-Hugh](#)  
**To:** [Dana Bowers](#)  
**Subject:** Re: allowed cutting levels  
**Date:** Wednesday, June 7, 2023 11:48:20 AM

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Hi Dana:

I am wondering if you might have time to call me this afternoon? It is rather late notice for which I apologize but last night I started to read through the actual proposed ordinance in preparation for tonight's meeting and discovered something that was not in your slide show or our previous conversation which was of concern to me.

In the slide show it says the previous rule was that with conversion permit people could cut 35% of trees on property. In the proposed ordinance I read in your summery of changes that there would be a proposed increase of allowed cutting up to 80% of area. This to me is a huge difference! I looked back to see if I had misunderstood the first figure if it had actually been 35% left rather than 35% cut but it does say in the slide show 35% cut.

Everything else you have talked about is so protective of trees I am wondering if I am misunderstanding something here. At minimum I am puzzled as to why this would be the proposal? I realize that much development is expected – but I think from the Climate Mitigation Plan the intention is to drive development into the cities and UGA's not rural, as it is more energy efficient to keep people in an urban core. So having easier cutting rules for developers in the rural area not the cities or UGA's would seem to work in the opposite direction.

Anyway, it would be good to touch base on this.

Thanks,

*Lynn Fitz-Hugh*

Executive Director

She/Her pronouns

206-713-0497

Friends of Trees Action group of



<https://www.restoringearthconnection.org/>

FB: restoring Earth Connection

**From:** [Lynn Fitz-Hugh](#)  
**To:** [Dana Bowers](#); [Rebecca Harvey](#)  
**Subject:** Following up  
**Date:** Wednesday, June 14, 2023 12:20:41 PM

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Hi:

Sorry got a little waylaid on response I meant to send last week.

So one thing I did want to raise up was about the names of different size trees as you create a designation system.

What Friends of Trees has suggested to all local jurisdictions is that trees 6" dbh to 24" be significant trees and 24" and above as an Exceptional tree. We believe historic trees should be called historic. We came up with this language because it matches Seattle (Lake Forest Park only lists significant trees, Tacoma does not have tree designations) So we think it also helpful to regionally match as tree cutting firms travel up and down I-5. So far Tumwater's draft calls 6"-24" significant but then calls over 24" landmark. That later is problematic because Olympia calls historic trees landmark trees currently.

Quite honestly on some level it does not matter what any of these categories are called but what does matter is that the 4 jurisdictions agree so that the public can be educated to one idea. Thus my strongest recommendation is you talk to Alyssa and Brad at Tumwater and come to an agreement. I think whatever you both agree upon will become the standard throughout our county.

I deeply appreciate that you went for something even bigger than an exceptional tree calling it a Legacy tree. I explained that I converted the DBH to circumference when I spoke to try to help people imagine how big that really is. Below is a picture of an original old growth tree at the turn of the century being cut down. Notice under one of the women it says it is 120(that is circumference). So this is what I mean. It is extremely rare to find old growth trees that were never cut. If we find any century old trees I think they should go in the historic category and be afforded absolute protection.

The Lidar study will inform you. Given that the largest 2% of trees hold 50% of the stored carbon I hope you can determine from the lidar study what size the largest 2% are (this would need to exclude Capitol Forest which you do not have control over and does have many much older trees.) To me the Legacy designation if you have it should be for those 2% and should again be an absolute protection.

I was about to write a number of things about ideas for enforcement. I was amazed and delighted to hear the planning commission calling for that. But I am tired of typing. So it might make sense for us to have a meeting and I could make some suggestions about enforcement.



*Thanks.*

*Lynn Fitz-Hugh*

Executive Director

She/Her pronouns

206-713-0497

Friends of Trees Action group of



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FB: restoring Earth Connection

**From:** [kenbonniemiller@gmail.com](mailto:kenbonniemiller@gmail.com)  
**To:** [Dana Bowers](#)  
**Cc:** [Ashley Arai](#)  
**Subject:** Forest Conversion Code Update/Healthy Forest Project  
**Date:** Wednesday, June 14, 2023 10:34:00 PM

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Dana:

I've indicated verbally that this not likely of interest/concern to most of family forest owners I know, but after reading your June 7<sup>th</sup> memo I'd like to make the following observations from what I think is a common sense point of view:

1. "Align with Carbon capture value of trees" – there seems to be a lot of misinformation around this topic to the effect that non-management and let tree's grow as old as they can survive as somehow captures the most carbon, when I believe the younger tree's are the ones capturing more carbon, and they should be periodically harvested to more permanently sequester some of that carbon so that over time more total carbon is sequestered than just letting tree's become decadent and start giving off carbon, like the picture of a very healthy looking tree in the park that just snapped couple weeks ago in a like wind.
2. "rural tree protection standards" – I'm hearing "no-management" in the term "protection", if true it's absolutely the wrong policy for rural forests for lots of reasons.
3. "larger trees offer more effective solutions for stormwater and climate mitigation and should be prioritized for protection" – I'm not seeing how large tree's in a residential setting do anything for stormwater runoff? Yes growing large tree's can help climate mitigation, but only to a point of active growth (see above). Ditto for "protection" in housing development if that tree is still actively growing and is sound/healthy, otherwise it's a not contributing to the environment and per these pictures can be a serious human/property risk if in residential area. Douglas Fir are not normally associated with a deep root system, they often depend on others for protection so when others nearby are removed the odds of the remaining big tree's succumbing to normal winter storms is very high.
4. "Concerns about logging done in critical areas without erosion control or stormwater management systems" – I'm kinda offended by that statement. I'm pretty sure your "critical areas" are much wider than the current Forest Practices regulations which are highly scrutinized in the collaborative processes of the Adaptive Management Program where the state is spending millions of research \$ every year. Erosion control or stormwater management are clearly both protected well within the first 50' of our buffers that range from 90-200'.
5. "Grant moratorium releases" – I don't know why the county grants any of these 6-year moratorium releases?? The Forest Practice applications are pretty clear that if the landowner anticipates developing the land within 6 years they definitely should not get a DNR permit they should get a conversion permit from the county instead. Maybe there are some emergency situations that should be considered, but in my world a "deal is a deal" – no development permits until after 6 years, and then only if the landowner has reforested per the state rules. If someone buys a clearcut and unexpectedly finds they can't get a building permit that is on the buyer and particularly the seller for not discovering/disclosing that limitation – not the counties obligation at all. Granting moratorium releases only seems to encourage bad behavior in my opinion.

6. Large tree's near housing are inherently dangerous in storms, and can be fire hazards (not always) – I'm not seeing how you are finding a balance between the health and safety of the new homeowners and the perceived environmental benefits of having more tree's on the landscape, particularly tree's left in small islands after clearing out a spot for buildings. Seems to me the safest, and at some extent the best for the environment & safety is growing new tree's on a cleared lot that will adapt/better rooting for the new site conditions.
7. Any tree management/cutting conditions on partially developed parcels needs to be affordable – paying someone from the county a lot of money to just come look/advise is not affordable and encourages scofflaws. . . . plus county rejecting application to cut a danger tree, set's the county up for potential lawsuits if tree's with potential to cause personal bodily harm should come down. The laws of human nature/common sense have to come into play at some point.

Happy to try to clarify any of these comments based on very cursory look at your project.

Ken

**From:** [Lynn Fitz-Hugh](#)  
**To:** [Dana Bowers](#)  
**Subject:** RE: Following up  
**Date:** Wednesday, July 12, 2023 9:46:17 AM

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Hi Dana:

Well this is my thought about enforcement. I think Tumwater is considering this idea and Seattle has done it with demonstrable success. Require that any tree cutting professional (from arborists, to lawn crews) get an inexpensive license to cut in the county. BUT they have to sign a statement saying they have read the county (and city) rules and agree to abide by them. 3 violations and they permanently lose their tree cutting license.

Remember the guy who told on the board about these tree cutting crews who come around and try to seduce people into cutting because they will get money for the cut trees? Whatever rules you make cannot be enforced if the public does not know about them. But even slimeballs like he described know they will get reported and the 3 offenses will quickly mount up. So it stops the problem at the source. This is very low cost for the county and I think very effective. When Seattle did it people were having to get tree cutters from the other side of the mountain to do illegal cutting.

Thanks,  
Lynn

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**From:** Dana Bowers <dana.bowers@co.thurston.wa.us>  
**Sent:** Tuesday, July 11, 2023 10:44 AM  
**To:** Lynn Fitz-Hugh <lynn@fitz-hugh.org>; Rebecca Harvey <rebecca.harvey@co.thurston.wa.us>  
**Cc:** Ashley Arai <ashley.arai@co.thurston.wa.us>  
**Subject:** RE: Following up

Hi Lynn,

Thanks for reaching out. It can be a bit confusing about which of our departments handles what items, I'm just getting a handle on it myself. I think they were asking because it's important to create policy that is enforceable so we think about how they could be interpreted. I am preparing some data about the compliance cases around forestry and people's chief issues for planning commission to answer their concerns as much as I am able. When you stand back to look at it though, this system allows the proper checks and balances - the people creating the laws shouldn't also enforce them. I'm nearly done with the edits and sending back to our internal stakeholders before I get the packet ready for the hearing.

I wanted you to know I'm also working on the tree canopy data. We are waiting on a few additional layers in order to fully utilize the data how we would like, but I plan to bring that to the board by fall, depending on their schedule.

Thanks for keeping in the loop!  
Dana

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**From:** Lynn Fitz-Hugh <[lynn@fitz-hugh.org](mailto:lynn@fitz-hugh.org)>  
**Sent:** Tuesday, July 11, 2023 10:04 AM  
**To:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>; Rebecca Harvey <[rebecca.harvey@co.thurston.wa.us](mailto:rebecca.harvey@co.thurston.wa.us)>  
**Subject:** RE: Following up

Hi Dana:

Just checking back in with you. Sorry you were sick.

I did not know enforcement would not fall in what you were proposing since the planning commission folks were definitely signally they wanted that from you! Well let me know what you have determined.

Best wishes,

Lynn

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**From:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>  
**Sent:** Tuesday, June 27, 2023 9:03 AM  
**To:** Lynn Fitz-Hugh <[lynn@fitz-hugh.org](mailto:lynn@fitz-hugh.org)>; Rebecca Harvey <[rebecca.harvey@co.thurston.wa.us](mailto:rebecca.harvey@co.thurston.wa.us)>  
**Subject:** RE: Following up

Hi Lynn,

Yes I received this but haven't had a chance to think about incorporating it since I've been out sick and then on vacation. I'm really just getting back to it this week. The public hearing was rescheduled to incorporate more of the feedback like this that I'm receiving from different groups, so I'll have some time to dig into this properly and update the draft accordingly.

I would love to hear about your ideas for enforcement, but also know that conversation is larger than my role. Let me see if I can get some buy in with someone who can make those changes.

Thanks,

Dana

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**From:** Lynn Fitz-Hugh <[lynn@fitz-hugh.org](mailto:lynn@fitz-hugh.org)>  
**Sent:** Thursday, June 22, 2023 12:44 PM  
**To:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>; Rebecca Harvey <[rebecca.harvey@co.thurston.wa.us](mailto:rebecca.harvey@co.thurston.wa.us)>  
**Subject:** RE: Following up

Hi Dana:

Just wanted to see if you got this. Still up for talking about enforcement ideas if you want them.

Lynn

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**From:** Lynn Fitz-Hugh <[lynn@fitz-hugh.org](mailto:lynn@fitz-hugh.org)>  
**Sent:** Wednesday, June 14, 2023 12:20 PM

**To:** 'Dana Bowers' <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>; 'Rebecca Harvey' <[rebecca.harvey@co.thurston.wa.us](mailto:rebecca.harvey@co.thurston.wa.us)>

**Subject:** Following up

Hi:

Sorry got a little waylaid on response I meant to send last week.

So one thing I did want to raise up was about the names of different size trees as you create a designation system.

What Friends of Trees has suggested to all local jurisdictions is that trees 6" dbh to 24" be significant trees and 24" and above as an Exceptional tree. We believe historic trees should be called historic. We came up with this language because it matches Seattle (Lake Forest Park only lists significant trees, Tacoma does not have tree designations) So we think it also helpful to regionally match as tree cutting firms travel up and down I-5. So far Tumwater's draft calls 6"-24" significant but then calls over 24" landmark. That later is problematic because Olympia calls historic trees landmark trees currently.

Quite honestly on some level it does not matter what any of these categories are called but what does matter is that the 4 jurisdictions agree so that the public can be educated to one idea. Thus my strongest recommendation is you talk to Alyssa and Brad at Tumwater and come to an agreement. I think whatever you both agree upon will become the standard throughout our county.

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I was about to write a number of things about ideas for enforcement. I was amazed and delighted to hear the planning commission calling for that. But I am tired of typing. So it might make sense for us to have a meeting and I could make some suggestions about enforcement.



*Thanks.*

*Lynn Fitz-Hugh*

Executive Director

She/Her pronouns

206-713-0497

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**From:** [Mike Jackson](#)  
**To:** [Dana Bowers](#)  
**Subject:** RE: Forest Conversion Code Update  
**Date:** Monday, July 17, 2023 4:14:20 PM

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Dana, Hope you have had a good time putting this together. Surprised at only one comment had been logged in. Know it had to be quite a job. It is still tough to try to leave big trees when developing a forested site with all the development regulations that have to be followed. 17.25.400 is going to be costly if it has to be done during a proposal stage. And 17.27.400 will be difficult when developing a 5 acre tract. Will be interesting when everything goes thru the commission and the final code is approved. Good luck as you move ahead . Mike Jackson CF,ACF

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**From:** Dana Bowers <[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us)>  
**Sent:** Monday, July 17, 2023 2:29 PM  
**Subject:** Forest Conversion Code Update

Hi All,

I wanted to let you know that our public hearing for this update has been rescheduled to provide more time for public comments to be incorporated into the draft. Please be sure to include any written comments you have as soon as possible so your feedback can be incorporated into the draft for the public to review and provide comments. The attached is the packet sent to the planning commission that includes a memo, attachments and draft code.

For those of you who have sent in written comments, thank you for your time and willingness to step into the process and help us arrive at the best compromise for all.

Thank you!

**Dana Bowers** | Associate Planner  
**Thurston County Community Planning & Economic Development**  
3000 Pacific Ave SE, Olympia, Washington 98501  
**Phone** (360) 786-5475 | **Mobile** (360) 490-0853 | **Fax** (360) 754-2939 | **TDD** (800) 833-6388  
[dana.bowers@co.thurston.wa.us](mailto:dana.bowers@co.thurston.wa.us) | [www.thurstoncountywa.gov/planning](http://www.thurstoncountywa.gov/planning)

*This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.*

**From:** [Lynn Fitz-Hugh](#)  
**To:** [Dana Bowers](#)  
**Subject:** public comments  
**Date:** Wednesday, July 26, 2023 1:07:08 PM

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Overall I feel this is a great ordinance – much more protective of trees and something we can be proud of.

However, the place I would like to ask for a change is: Table 17.27.550-1.

I think it will be very confusing if the different cities in our county name these categories of trees differently (not to mention between counties) for consistency sake I would like to ask that the category you call prevailing trees be broken into prevailing as less than 6" dbh and 6" to 24" be significant trees (those breaks of size are also common) and that what you call significant be called Exceptional. It will very very confusing is you call exceptional what most people have named the smaller category. I am indifferent to whether you have a Legacy category because as previously mentioned it is extremely rare to have a tree that big – that would basically old growth. If there was a tree that big there would be only 1 and it should 100% be saved. So what I really want to ask is that the category called significant by this chart which we suggest be called significant be 70% protected. That is because trees over 24" are also not that common – there might only be 1 to 10 of them depending upon size of lot. But more the point within the county area they are the ones doing the biggest drawdown work so that is why I would like to see 70% of them protected. (I hope the Lidar data – can reveal to you what percentage of existing trees are in this size category and that can help guide this.)

Deeply appreciate the simplification of language, the requirements for replanting, the removal of waivers for moratorium and the requirement of applications be concurrent with development applications (the really helps everyone look together clearly at what is happening.)

Over all I think this moves in a good direction to protect more trees!

Thank you,

*Lynn Fitz-Hugh*

Executive Director

She/Her pronouns

206-713-0497

Friends of Trees Action group of



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