

SUPERIOR COURT OF WASHINGTON FOR JEFFERSON COUNTY

IRON MOUNTAIN QUARRY, LLC, a  
Washington Limited Liability Company, and  
POPE RESOURCES, a Delaware Limited  
Partnership;

Petitioners/Plaintiffs,

vs.

JEFFERSON COUNTY, a Washington  
Municipal Corporation, acting through its  
Department of Community Development; and  
STACIE L. HOSKINS, Planning Manager,  
Jefferson County Department of Community  
Development;

Respondents/Defendants.

NO. 10-2-00181-5

WASHINGTON FOREST LAW  
CENTER'S BRIEF AMICUS CURIAE

Washington Forest Law Center (WFLC) supports Jefferson County's threshold decision under the State Environmental Policy Act (SEPA) regarding the 40-year, 142-acre quarry proposed by Iron Mountain Quarry, LLC and Pope Resources (collectively IMQ). The County's issuance of a Determination of Significance (DS) was proper because the proposal "may have a significant adverse impact" within the meaning of SEPA.

1 The land in question is designated as forestland of long-term commercial significance  
2 under the Growth Management Act. Conserving our forest lands of long-term commercial  
3 significance is important to maintain the Jefferson County and state economies. Commercial  
4 forest lands, also known as “working forests,” contribute to the regional economy and family  
5 incomes, provide wildlife habitat and recreation, and store carbon. These benefits are impaired  
6 or lost when working forests are converted to non-forest uses. Declaration of Karl F.  
7 Forsgaard, ¶ 1.

10 A recent report by the College of Forest Resources of the University of Washington  
11 documents the need to protect “anchor forests” and the forest land near them to maintain the  
12 state’s forest products industry, including the high paying jobs the industry supports. Retention  
13 of High-Valued Forest Lands at Risk of Conversion to Non-Forest Uses in Washington State,  
14 published March 25, 2009 (Forsgaard Declaration, Ex. 1). As stated in the report’s Executive  
15 Summary (at pp. i-ii):

18 The 2008 Forum defined “working forests” as “sustainably managed for  
19 commodity products as well as ecological and social values” and requiring a  
20 “permanent and un-fragmented land base.” ... Ownership of the state’s 11.6  
21 million acres of private forestland is split evenly among industrial and non-  
22 industrial owners. These private lands provide critical fish and wildlife habitat,  
23 especially in highly-productive lower elevation riparian areas. ... About 972,000  
24 acres of private forestland in western Washington are threatened with conversion.


25 The potential risk of conversion is highest in the Puget Sound region. There and  
26 elsewhere, reductions in harvest levels due to conversion will translate into less  
27 supply for forest products mills. Washington mills will become less competitive  
28 over the next four decades and all sectors – mills, export, veneer and plywood and  
29 pulp manufacturers – will find their raw material supply significantly scarcer.  
30 Forest conversion will eliminate major opportunities to leverage forest carbon  
31 sequestration to address climate change and also negatively affect biodiversity,  
fisheries resources and open space.

1 The University of Washington study identifies IMQ's proposed quarry site as designated  
2 commercial forest lands that need to be conserved. See maps (Forsgaard Declaration, Ex. 2).

3  
4 Conversion of forestland has significant environmental impacts that should be  
5 addressed under SEPA, and may require the preparation of an Environmental Impact Statement  
6 (EIS). However, in this case IMQ submitted a 600-page SEPA checklist (Response to  
7 Environmental Questionnaire) that did not adequately address the environmental impacts of  
8 converting 142 acres of designated forestland to non-forest use.  
9

10 The area can continue to be managed for commercial forestry. Conversion to other uses  
11 would adversely affect the environment including fish and wildlife habitat, recreation and  
12 carbon storage. Because the IMQ proposal "may have a significant adverse impact" within the  
13 meaning of SEPA, the County's issuance of a Determination of Significance (DS) was proper.  
14  
15 IMQ's Petition for Writ of Certiorari should be denied.  
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17 Respectfully submitted this 14th day of September 2010.

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