



2800 N Lombard St. Unit #805  
Portland, OR 97217

2700 E Evergreen Blvd.  
Vancouver WA 98661

[www.cascadeforest.org](http://www.cascadeforest.org)  
(503) 222-0055

---

January 26, 2021

Robert W. Johnson  
SEPA Center  
P.O. Box 47015  
Olympia, WA 98504-7015

*Via email: [sepacenter@dnr.wa.gov](mailto:sepacenter@dnr.wa.gov)*

**RE: Double Haul Timber Sale File No. 101119 and Forest Practice Application No. 2938494.**

Dear Mr. Johnson:

Thank you for the opportunity to comment on the Double Haul Timber Sale. Cascade Forest Conservancy's (CFC) mission is to protect and sustain forests, streams, wildlife, and communities in the heart of the Cascades through conservation, education, and advocacy. We represent over 12,000 members and supporters. We recognize the great value in working together with a variety of partners and stakeholders, including the Washington Department of Natural Resources (DNR) and private landowners, in building a more resilient ecosystem for current and future generations. CFC is taking a closer interest in timber harvest projects on state and private lands in the region to address a variety of ecological and conservation needs, such as habitat connectivity on a landscape-scale, climate mitigation, and aquatic health.

Merrill Lake is a special place to many of our members. It is a place of solace for our fly fishers who head out at the crack of dawn to catch-and-release rainbow trout and cutthroat from the lake; it is a place of tranquility for our campers, who camp out at the base of the lake surrounded by old-growth Douglas fir and western hemlock giants; and it is a place of escape for our cabin owners at Northwoods who want to stand at the water's edge—under the flight path of osprey and bald eagles—as the surrounding peaks creep above the tree line. What makes Merrill Lake so unique to an area abundant in lakes is the steep forested hillside surrounding every inch of the shoreline, making this mid-alpine lake feel completely removed from the rest of the world. The

forest is what makes this place so magical, and the Double Haul Timber sale—as proposed—threatens the serenity of this beautiful place and endangers the safety of those who recreate here.

Cascade Forest Conservancy is concerned with several aspects of this proposal. First, this is an area prone to slope failures and the proposed forest practices are likely to have a probable significant adverse impact to the environment and public safety, and therefore requires an Environmental Impact Statement (EIS). Second, the stands on the west side of Merrill Lake fall within the home range of the Northern Spotted Owl, and the harvest as proposed will jeopardize the habitat of the species. Third, there are older trees within the harvest area that should not be harvested. Fourth, the proposal plans to harvest hard edges next to old-growth stands without implementing adequate buffers. Fifth, this place is a treasured Conservation Area and is not an appropriate candidate for an aggressive timber sale. Finally, the SEPA checklist has redacted information preventing input on historic and cultural preservation for the project area. As such, we request DNR withdraw the determination of non-significance and prepare an EIS pursuant to RCW 43.21C.030(c), and WAC 222-10-030.

**I. The project area is prone to slope failures and will have significant impacts on the environment and public safety.**

The steep hillsides surrounding Merrill Lake are part of the charm of this alpine lake, however, a combination of these steep slopes and the Cascade winter weather have made it prone to slope failures and landslides. In 1996, a larger Cascade winter storm hit the slopes of Merrill Lake causing the largest debris flow following that storm:

“All of these failures were 1,000 yd<sup>3</sup> or smaller **except for one debris flow that covered Forest Road #81 near the outlet of Merrill Lake** which lies about 8 mi south of Mount St. Helens. This debris flow originated in the sides of a stream channel near the outlet of Merrill Lake and scoured the channel down to bedrock. **It flowed across Road #81 and continued downslope into a campground where it spread out and deposited about 5,000 yd<sup>3</sup> of material.**”<sup>1</sup>

The SEPA checklist acknowledges the history of slope failures at Merrill Lake, yet determines logging on these slopes, and constructing a road across a previous landslide pathway as non-significant impacts to public safety and the environment. The SEPA checklist states that

---

<sup>1</sup> U.S Geological Survey administrative report at 17. [https://www.preventionweb.net/files/1585\\_Washhrp.pdf](https://www.preventionweb.net/files/1585_Washhrp.pdf)

“Precipitation mainly occurs as rain however, snow above 500 feet elevation is common during the winter. Rain on snow contributed additional water during the 1996 storm.” (SEPA checklist at 4). However, the SEPA checklist also states that the elevations of stands in the project area “range between approximately 1,600 feet at the lake and 3,520 at the ridge.” (SEPA checklist at 4). Therefore, the same rain on snow events that contributed to the 1996 landslide at Merrill Lake is likely to occur in the future endangering public safety and impacting the surrounding environment. The SEPA checklist also states that “no Landslide Hazard Mapping is available for the area.” However, the 1996 storm caused an extensive landslide in the area, along with slides from the 2007 and 2009 storms, demonstrating the need for an EIS to identify the many potential areas within the project area that could result in slope failure.

The geologists report identifies a number of areas with evidence of previous slope failures, and yet the proposal plans to construct a road segment “where the debris flow event occurred during the large storm in January 1996.” (SEPA checklist at 5). When planning where to construct the new road segment “DNR staff...found several feet of sediment and woody debris over Forest Service 81 Road and the steam outlet into the campground below” (SEPA checklist at 5), suggesting that there is slope instability in this area and that it is not an appropriate place for road construction.

The SEPA checklist also acknowledges that there is a likelihood for public safety to be threatened.” (SEPA checklist at 10), but suggests the risk to public safety is reduced because the campground is closed. “The campground is closed seasonally between November 15 and May 12 each year and is thus not open when flooding and debris flow hazards are greatest.” (SEPA checklist at 6). However, the checklist does not acknowledge that the lake is open to fishing and recreators “year-round”<sup>2</sup> and the only time there is unlikely to be recreators at the lake is when there is deep snow on the ground. In fact, when the rains return in the spring—clearing out the snowpack—is when recreators are likely to return to this area. The proposal does not, and cannot account for the safety of recreators and drivers along the Forest Service 81 road due to year-round visits to Merrill Lake and the potential for land-slide inducing storms across five months of the year.

---

<sup>2</sup> <https://wdfw.wa.gov/fishing/locations/lowland-lakes/merrill-lake>

**II. Proposed stands fall within the home range of the Northern Spotted Owl and will jeopardize its habitat.**

The SEPA checklist states that there no threatened or endangered species on or near the site, (SEPA checklist at 20) however, the stands included on the west side of Merrill Lake overlap with Northern Spotted Owl (NSO) circles, indicating the stands are within the species' home range. The presence of NSO habitat within the project area indicates the need for an EIS to determine the significant impacts this timber sale is likely to have on the listed species. The recommendation for a “minimum of eight leave trees per acre” (SEPA checklist at 4) does not leave adequate tree retention for the NSO and the habitat will not remain following the removal of these stands.

Additionally, through spatial analysis and local knowledge of the area we have identified larger trees (over 24inch DBH) within the proposed harvest stands—these are the likely candidates for Northern Spotted Owl habitat within its home range and the harvest of these trees could result in adverse impacts to the species. Therefore, harvest should be withdrawn in these stands and any trees over 24 inches DBH need to be left to preserve NSO habitat.

**III. The proposed harvest area contains older trees that should be protected.**

The SEPA checklist determines the origin date of the stands proposed for removal all originating from 1962-1970 (SEPA checklist at 5), however, our spatial data suggests there are a number of much larger trees, not within the Riparian Management Zones, of sizes consistent with 150-year-old or older trees. It is not uncommon for older trees to be left over after a timber sale, however, our data shows an abundance of older trees and it is necessary that these trees are withheld from the timber sale. The inconsistencies from the SEPA checklist and our own spatial data and local knowledge of the area suggests that additional analysis in the form of an EIS needs to be conducted before this timber sale goes ahead.

**IV. The proposal harvest plans to cut hard edges next to old-growth stands without implementing adequate buffers.**

The SEPA checklist lists numerous examples of old-growth immediately adjacent to the removal area, ranging from stands containing 521-year-old to 150-year-old mixed conifer forests in the Natural Resource Conservation Area. (SEPA checklist at 18). These are just the stands the SEPA

checklist has identified as old-growth; our spatial data indicates there are old-growth trees in close proximity to many of the stands identified for removal—and in some cases within the stands. Adequate buffers are necessary to maintain the microclimates within these stands and protect old-growth dependent species. Stands selected for removal adjacent to old-growth, or stands containing old-growth characteristics should have a 200-300ft buffer to protect these stands and the old-growth dependent species.

**V. The proposed harvest area is not an appropriate candidate for this timber sale.**

This timber sale, as proposed, will permanently alter the experience and aesthetic of this beautiful place. Our members visit Merrill Lake to fish, hike, and camp, but they also visit this special place to be at an alpine lake among dense forest, marveling at the age and size of the trees surrounding them, and hoping for sightings of rare and protected wildlife. These stands are not candidates for a timber sale, but should be incorporated into the Conservation Area to be protected and conserved for future generations.

**VI. The SEPA checklist has missing information preventing meaningful comment on historical and cultural preservation.**

The SEPA checklist has redacted information regarding “the presence of buildings, structures or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers.” (SEPA checklist at 25). The checklist confirms there is something in the proposed project area of concern, but redacts this from the checklist. We are unable to determine whether there is a conflict with historic and cultural preservation with this redaction in the SEPA checklist.

**VII. Climate Change will exacerbate the impacts of the Double Haul Timber sale.**

Finally, climate change is expected to exacerbate negative impacts to waterways. Local impacts of climate change vary by season and region, but models for the Pacific Northwest generally predict increasing temperatures, wetter winters, and drier summers. Aquatic systems are particularly precarious with the combination of rising water temperature, altered flow patterns, and limitations on dispersal. The waterways of the southern Washington Cascades are vital systems that provide critical habitat and landscape benefits for a rich community of organisms. Climate change affects these species in a variety of ways, and the cumulative impacts of climate

change and insufficient riparian protection could be devastating. Merrill Lake has already experienced these extreme climate impacts over the last thirty years with heavy precipitation events resulting in landslides on the surrounding slopes. This proposal will exacerbate the impacts of climate change instead of mitigating them.

### **Conclusion**

In summary, we believe that this project will have significant environmental impacts and that an EIS is required under SEPA. We respectfully request that DNR withdraw the determination of non-significance and conduct a more thorough analysis of the proposed project in the form of an EIS, or withdraw the stands as candidates for this timber sale.

The Cascade Forest Conservancy greatly appreciates your consideration of our comments. We look forward to continuing to work with you on this project.

Sincerely,

Lucy Brookham, Policy Manager