



**DEPARTMENT OF
NATURAL RESOURCES**

SOUTH PUGET SOUND REGION

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August 30, 2022

**Notice of Final Determination
SEPA File No. 22-051801
Forest Practices Application No. 2423054 | 2422920**

The Department of Natural Resources issued a Determination of Non-significance (DNS), Mitigated Determination of Non-significance (MDNS), Modified DNS/MDNS on **May 18, 2022** for this proposal under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

This threshold determination is hereby:

Retained.

Modified. Modifications to this threshold determination include the following:

- This proposal is now associated with FPA/N 2423054.
- One additional forested wetland less than 0.25 acres was identified within 200 feet of the proposal (Identifier W6).
- The landowner provided a Hydrologic Assessment addressing whether this proposal would cause a substantial increase in peak flows.

Withdrawn.

Delayed. A final threshold determination has been delayed due to the following:

Summary of Comments and Responses (if applicable)

- 1) Over seventy comments received during the initial SEPA comment period.
 - ➔ The landowner addressed the commenters concerns in a letter issued on July 29, 2022 (attached).

After review and consideration of all comments received, DNR Forest Practices adheres to their initial assessment that significant environmental impacts are unlikely.

Responsible Official: Don Melton

Position/title: South Puget Sound Assistant Region Manager for Wildfire, Forest Practices & Camps

Phone: 360-825-1631

Address: 950 Farman Avenue North
Enumclaw WA 98022

Date: 8/31/2022

Signature: _____

There is no agency SEPA appeal.



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July 29, 2022

Dear SEPA commenters,

This is a collective response to the comments received for Delica Hardwood Timber Sale FPA No. 2422920 during the SEPA comment period of May 18 through June 1, 2022 under SEPA File No. 22-051801. Since the summer of 2021, the Department of Natural Resources (DNR) has provided information and addressed concerns about the planned Delica Hardwood timber sale to multiple nearby landowners through letters, emails, and individual and public meetings.

The Department of Natural Resources (DNR), like other landowners in the Summit Lake drainage, share the desire to maintain the health of Summit Lake and the surrounding community and is committed to short- and long-term sustainability of these lands. The Summit Lake block of Capitol Forest is a working forest—trust lands that generate revenue for colleges and Capitol maintenance and provide environmentally friendly and sustainable materials we use every day. This land will remain as forestland managed by DNR. As forestland, these areas will not be developed into impervious surfaces such as asphalt, concrete, or structures that permanently alter the hydrology of the area, like much of the Summit Lake area has already experienced. Instead, DNR manages State Trust forestlands, including the land DNR manages around Summit Lake, as permanent forests, using science-based, and environmentally sound forest management practices.

DNR harvests are carefully designed to protect the water and soil, retain wildlife habitat, and to ensure that a healthy forest will regrow following timber harvest. DNR harvest practices are among the most advanced and environmentally responsible forest management practices in the world and manages all of its forests in Western Washington in accordance with a federally approved Habitat Conservation Plan (HCP). Foresters, in consultation with scientists, have evaluated and designed the Delica Hardwood timber sale in compliance with the HCP, Policy for Sustainable Forests and Washington Forest Practices Rules. The Delica Hardwood sale also complies with two external forest management standards, Sustainable Forestry Initiative (SFI) and Forest Stewardship Council (FSC), which provide a set of ecologically, socially, and economically sustainable management practices. More information about DNR's commitment to sustainable forestry is available on DNR's [Forest Certification page](#).

The concerns expressed in the comments received, both during and outside the SEPA comment periods, repeated similar concerns regarding the effects on drinking water, water quality for fish habitat, potential for increased risk of peak flows and landslides, impacts to climate change, recreation and property. Those concerns centered around the following specific topic areas:

Sediment in streams

Multiple Forest Practice Rules and voluntary mitigation measures implemented in the design of this harvest address erosion and reduce potential for sediment delivery to streams.

The no-harvest buffers placed on streams and wetlands are in compliance with DNR's HCP and afford greater protection than standard Forest Practice Rules, which include some of the most advanced environmental regulations in the nation. Unit 1 of the planned harvest is more than 500 feet and Unit 2 is greater than 1,000 feet from Summit Lake. Streams capable of bearing fish (Type 3 streams) are protected with at least an average 165 foot no-harvest buffers and non-fish (Type 4) streams, plus wetlands larger than 0.25 acres in size, are protected with at least a 100 foot no-harvest buffer. No equipment will operate in these no-harvest buffers (also called riparian management zones), therefore there will not be ground disturbance, exposed soil or vegetation removed from these areas as part of the harvest. In addition, not having equipment operate near Type 3 or 4 streams will reduce potential for any accidental oil leakage or spill from equipment to enter surface waters. These undisturbed vegetated areas of stream and wetland buffers will also serve to protect stream channels, shade streams, retain intact habitat areas for upland wildlife, and intercept surface erosion, if any occurs from the harvest area. Within the harvest unit, surface erosion protection measures include restricting operations so they may only occur during the dry season and skid trails will be closed after yarding activities so that channelization of surface water and the possibility of erosion towards streams does not occur.

No new roads will be constructed and no stream crossings are planned as part of the Delica Hardwood timber sale. An existing road (S-1000 DNR forest road) crosses a few streams on portions of the road used for timber and equipment hauling. There are ditch relief, or crossdrain culverts, at intervals before streams that disperse water from ditches onto the forest floor so that sediments do not reach stream crossings. The roads, crossdrain culverts and ditches are routinely maintained to ensure proper functionality. During active haul, protection measures will be put in place if necessary, or haul suspended, to prevent sediment from delivering to streams from existing roads. With the current design and mitigation measures in place for the Delica Hardwood timber sale, hauling and harvest activity for this proposal will not cause significant adverse environmental impacts with respect to sediment delivery and erosion.

Potentially unstable slopes & peak flows

A licensed engineering geologist and foresters assessed all areas within and surrounding the Delica Hardwood harvest area for potentially unstable slopes. Identified landforms and the impacts on these landforms by the proposed harvest were evaluated for: 1) the likelihood to cause movement on the landform or contribute to further movement, and 2) likelihood of delivery of sediment or debris to a public resource or in a manner that would threaten public safety. The assessment determined there's a low risk for these occurrences. The planned harvest has been designed to reduce potential impact by buffering and avoiding activity on all the identified landforms, except three acres (3.5 percent) of the topographic groundwater recharge area of a glacial deep-seated landslide. These are discussed in the associated Engineering Geologic Risk Assessment dated December 17, 2021 that was included with FPA No 2422920 and attached for reference.

Trees retained in undisturbed riparian buffers and as leave trees within the harvest units serve to reduce impacts to peak flow following harvest through interception and evapotranspiration processes. Both riparian buffer distances and the number of leave trees within the harvest unit exceed industry standards under Forest Practices Rules. Forest Practice Rules require a minimum of five trees per harvested acre be left for wildlife

reserve trees. DNR's minimum retention for even-aged harvests is eight leave trees per acre. The Delica Hardwoods timber sale exceeds that with 13 leave trees per acre in Unit 1 and nine leave trees per acre in Unit 2.

Additional requirements in Forest Practice Rules that provide mitigation measures associated with reducing peak flow impacts includes limiting harvest unit sizes and timing of adjacent harvests. The size of each Delica harvest unit (15 net acres in Unit 1 and 28 net acres in Unit 2) is well below the Forest Practice 120-acre limit that would require additional evaluation.

DNR recognizes that past storm events have resulted in increased sediment deposited in stream channels which flow into Summit Lake. These storm events create natural scour and erosion activities. As an additional analysis of potential peak flow impacts, DNR's licensed engineering geologists and forest hydrologist conducted an assessment of anticipated hydrologic changes as a result of this planned harvest. The assessment concluded there is a low likelihood that Delica Hardwood harvest will cause detectable peak flow increases and sediment transport. The Hydrologic Assessment is attached for reference.

Irrespective of the proposed Delica Hardwood timber harvest, there is still the potential that private land, including structures and/or roads, close to or within the floodplain of the creeks downstream of the sale will be adversely impacted during infrequent historic precipitation events. Large scale precipitation events, such as those in 2007 and 2009, where flows exceed typical stream capacity have resulted in damage to structures not designed for these flow levels. DNR staff typically examine road systems following large scale storm events looking for storm damage to the roads or areas that the road design concentrated flows or otherwise did not handle the storm flows. In the 2007 storm event, damage occurred on private property below the Summit Lake Shore Road NW in the vicinity of Delica Hardwood Unit 1. Damage on private property included a driveway stream crossing culvert being washed out, another stream culvert being plugged, and sediment, rock and debris being deposited on the property and the lake shore. The DNR S-1000 road was inspected following this storm and did not have any storm related road damage. There were no indications that water was overwhelming ditches or culverts and running across the S-1000 road or being concentrating or redirected due to the road in association with this stream. The S-1000 is the only DNR road crossing the stream. This road can be observed on aerial photos as an existing road dating back prior to 1990. Observations of the stream bed following the storm event associated with the downstream damage indicated the stream bed and bank material eroded and deposited as a result of the high flows during the storm event. While this stream is in the vicinity of Delica Hardwood Unit 1, the unit is not within this stream's watershed.

Chemicals used in the harvest area following

In an effort to provide added protection for water quality, DNR will not broadcast spray following timber harvest, and this is clearly stated in the SEPA environmental checklist.

Following planting, professional foresters evaluate the site for competing vegetation that will impede growth of the young trees. The common issues for establishing young stands include bigleaf maple or cottonwood sprouts or noxious species "taking over" a site. Depending on the density of bigleaf maple re-establishment, or if noxious weeds were to establish on this site, DNR may need to perform a directed or spot herbicide treatment to ensure successful regeneration of the new stand. This is a hand-applied, very controlled method and would not occur near streams since it would be beyond the no-harvest riparian management zones. If a spray is necessary, outreach will occur to the adjacent landowners prior to the application, which will include providing the specific ingredients for the selected herbicide. Any herbicide used will be in accordance with EPA, Washington

Department of Agriculture, Forest Practices regulations and follows the standards of the federal Clean Water Act. The decision whether to use herbicide in this manner will be for the sole purpose of what's necessary for establishment of the new stand. No herbicide application will occur within the described riparian management zones.

Aesthetics, recreation and windthrow impacts

As stated above and in the SEPA Environmental checklist, DNR recognizes that there will be some visual impact due to the Delica Hardwood timber harvest. DNR designed the harvest to minimize this impact by 1) increasing the number of leave trees within each harvest unit well above DNR's standard (13 leave trees per acre in Unit 1 and 9 leave trees per acre in Unit 2 compared with DNR's standard of eight per acre and industry's standard of five per acre), and 2) location and distribution within the unit, using both a clumped and individually scattered design in areas most visible on the slope from Summit Lake and residences.

The northern boundary of both units are adjacent to private property lines. Following timber harvest, trees on private land immediately adjacent to the harvest area will be more exposed to winds. Leave trees within the harvest units were selected in locations to reduce the risk of blow down onto private property. During the layout of the units, DNR had communication with adjacent landowners regarding leave tree placement and designed leave trees to accommodate requests by landowners.

Conservation, climate change & diversity of next stand

Comments included requesting that the area of this planned harvest be set aside for conservation. The Department of Natural Resources manages land for much more than just timber harvest although DNR-managed Trust lands come with a legal responsibility to generate revenue for their designated beneficiaries. DNR manages over 2 million acres of forested state trust land in Washington. Of that, over 40 percent of forestlands statewide-including about half of DNR forestland west of the Cascades-is already managed for habitat conservation. In addition to the 40 percent statewide (840,000 acres), DNR has permanently protected nearly 130,000 forested areas in natural areas, all together approximately 1 million acres of protected forests statewide are under DNR management. Areas set aside for protection of streams, wetlands, potentially unstable slopes, etc. in the course of designing timber harvest units are in addition to that approximately 1 million acres. Additional information on Forest Management and Sustainability on State Trust Lands is attached.

The DNR's HCP is a long-term management plan on 1.6 million acres to conserve not only currently threatened and endangered species under the Endangered Species Act, but to also help avoid the future listing of additional species. In addition to specific habitat conservation measures for threatened and endangered species, the DNR's riparian conservation strategy serves to 1) maintain or restore salmonid freshwater habitat on DNR lands, and 2) contribute to the conservation of other aquatic or obligate species. The kokanee salmon existing in Summit Lake are not listed as threatened or endangered. However, they will benefit from the protections of the riparian conservation strategy for salmonid and other aquatic species. As described previously, the streams associated with these units are protected with no-harvest HCP compliant buffers.

DNR's westside forests are net sequesterers of carbon. This means that, while we regularly remove some timber from the landscape, DNR forests on the whole draw enough carbon dioxide from the atmosphere to make up for the emissions associated with harvest emissions and the eventual disposal of wood and paper products made from those harvested trees. This mapping tool, recently developed by Ecotrust, illustrates that phenomenon: <https://ecotrust.org/mapping-forest-carbon-data/>. To sequester even more carbon, DNR is launching and

innovative carbon project to protect an additional 10,000 acres of ecologically and culturally valuable forests. See [DNR's Carbon Project](#) website for more information.

The stands within the Delica Hardwood units are suffering from laminated root rot. Root rot is a naturally occurring disease that gradually kills otherwise long-lived conifer species such as Douglas fir and western hemlock. These conditions, along with the strong presence of shorter-lived hardwood species and the relatively small acreage of these units, do not make Delica an ideal candidate for inclusion in the carbon project. However, all units will be promptly replanted with vigorously growing seedlings which will provide rapid carbon sequestration.

The Delica Hardwood units were evaluated by professional foresters to determine the species most appropriate for establishment of a new stand that would be less susceptible to the laminated root rot, which is why these units will be replanted with red alder. However, the existing trees marked as leave trees within the harvest units consist of a variety of both conifer and hardwood species. Leaving these older, individual trees guarantees that lichens, mosses, invertebrates, and mycorrhizal networks associated with those trees remain intact. Those leave trees will act as biodiversity "lifeboats" between this stand and the next.

DNR appreciates the comments by those who reside and recreate in the Summit Lake community and their value of Washington's natural resources.

Sincerely,

Brandon Mohler

Brandon Mohler
South Puget Sound State Lands Assistant Region Manager

Enc:

Hydrologic Assessment of the Proposed Delica Hardwood Timber Sale,
Engineering Geologic Risk Assessment for Delica Hardwood Timber Sale, and
Forest Management and Sustainability on State Trust Lands

c: Delica Hardwood Timber Sale File 30-102086
Forest Practices, South Puget Sound Region
SEPA File No. 22-051801
Thurston County Board of Commissioners
Acting Deputy Supervisor, Duane Emmons
South Puget Sound Region Manager, Scott Sargent