State of Washington
Department of Fish and Wildlife
Region 1 Address: 2315 North Discovery Place, Spokane WA, (509) 892-1001, TDD (360) 902-2207
Main Office Location: Between Evergreen and Pines off Mirabeau Parkway

September 30, 2014

Washington State Parks and Recreation Commission
Attention: Randy Kline, Environmental Program Manager
Post Office Box 42650
Olympia, Washington 98504-2650

Dear Mr. Kline:

The following comments are provided to the Washington State Parks and Recreation Commission (State Parks) by the Washington Department of Fish and Wildlife (WDFW) in response to the extended 30-day review period for the Combined Draft Environmental Impact Statement (DEIS) for the Mount Spokane State Park Classification of Land and Ski Area Expansion. Overall we applaud your efforts in developing the DEIS and acknowledge the work that has gone in to identifying the wildlife species and habitats that will be affected by both the land classification and the proposed ski area. We also appreciate the clear manner in which habitat impacts and associated avoidance and minimization mitigation measures were presented. Of significant note is the DEIS' recognition that there are unavoidable impacts associated with ski area expansion for which additional mitigation will need to be developed. As in the past, it is our intent that WDFW's comments assist State Parks by allowing you to strengthen the DEIS; a component of which is ensuring that proper mitigation is identified and applied.

Mitigation

The State Environmental Policy Act (SEPA) rules gives guidance as to how environmental impacts and mitigation should be presented within an EIS. Specifically WAC 197-11-440 (6)(a), titled: "Affected environment, significant impacts, and mitigation measures" states:

> *This section of the EIS shall describe the existing environment that will be affected by the proposal, analyze significant impacts of the alternatives, including the proposed action, and discuss reasonable mitigation measures that would significantly mitigate these impacts.*

DEIS page III-17 reads that "…the overall intent of the action alternatives is to *minimize* the impact of providing lift served alpine skiing within the 279 acre expansion area on these resources". In addition adjustments to the placement of alpine ski runs on the landscape allowed for some *avoidance* of wetland and stream habitats. While we are glad to see minimization and avoidance measures proposed throughout the document, including Table EIS 2-4 Construction Related Mitigation Measures Incorporated into the

Project Proposal, no compensatory mitigation is outlined for unavoidable permanent or long-term impacts to important wildlife habitats.

The document states that "implementation of Alternatives 2 or 3 would result in impacts to "...mature forest and wildlife habitat that could not be entirely mitigated by the mitigation measures proposed" and the Draft Habitat Management Plan (HMP), included as an appendices, states that there are "unavoidable impacts to some focal wildlife species that cannot be entirely mitigated by the suite of measures presented" (pg.70). Using the mitigation sequencing as presented on page III-16, WDFW believes that these unavoidable impacts should be compensated for by replacing, enhancing or providing substitute resources or environments.

The DEIS defers to the Spokane County Critical Areas Ordinance (CAO) requirements for a Habitat Management Plan (HMP) to identify compensatory mitigation. The analyses for both the land classification and the land use proposals are presented in one combined DEIS; theoretically for the purpose of better informing a final decision. However, as currently drafted it was difficult for us to determine if the mitigation being proposed is adequate for the level of environmental impacts. Presentation of proposed compensatory mitigation should be presented within the DEIS. Without this, WDFW does not believe that the DEIS meets the intent of the SEPA Rules (WAC-197-11-440 (6)(2)).

The DEIS refers to State Parks Operation Plans as a project mitigation measure. WDFW suggests that these plans should also be included as part of the body of the DEIS. Their inclusion would help in the evaluation of the proposed impact avoidance and minimization techniques.

Draft Habitat Management Plan Species Habitat Maps

The DEIS includes a draft of the HMP, a project- level plan that will be required under the Spokane County CAO for development of mitigation for impacts to WDFW Priority Habitats and Species (PHS). At this time, WDFW was not able to conduct a complete review of this draft HMP as it relates to the CAO, but did refer to it as an appendix to the EIS that contains important wildlife habitat and species impacts information.

The HMP contains species habitat maps that are modeled based on the parameters provided in Table EIS 3.54-2. These maps should be included in the body of the DEIS rather than in the draft HMP. The maps are an important part of illustrating the impacts of the proposed land classification and proposed land use and warrant attention during the DEIS comment period. WDFW has noted some concerns and issues with the data presented in the species habitat maps; Table 1 contains a summary of these concerns.

Table 1: WDFW Comments on Species Habitat Maps contained within the Habitat Management Plan.

Lynx Winter Foraging	The entire PASEA should be considered winter foraging habitat for lynx.
Gray wolf summer foraging	Drawing a line at 3500 'elevation based on foraging is not accurate. For example, moose will be available prey above 3500' during the summer.
Northern goshawk breeding/nesting	This map and legend appear to indicate the slopes over 40% were excluded. The model parameters indicate 70% (WDFW concurs with 70%). The

Northern goshawk breeding/nesting - cont'd	breeding and nesting habitat survey should also be mapped outside of the PASEA in the area surveyed.
Northern goshawk foraging	This map is misrepresenting available forage. The downed subalpine fir areas at higher elevation are a significant source of small mammal habitat – particularly for snowshoe hares- a preferred habitat for goshawk.
Rocky Mountain Elk cover	The PASEA provides excellent thermal cover for elk and is part of a connected wildlife corridor. The model appears to have underestimated available cover for elk.
Rocky Mountain elk summer/fall forage	The model appears to have underestimated the use of the habitat by Rocky mountain elk.
American Marten	Winter cover/foraging seems underestimated
Western Toad	Model underestimates habitats for western toad

Suitable Habitat Estimates

A key tool for determining the impacts of ski area expansion is the suitable habitat estimates that were performed for the twenty-one focal species. WDFW has concerns about the parameters that were used in determining the suitable habitat and the methodology itself for the GIS modeling. In particular, we believe that suitable habitat is underestimated, resulting in less total impact being identified. This is turn could result in an inappropriate/reduced level of mitigation being proposed for the project area. Table EIS 3.4-2 presents the suitable habitat estimates. WDFW has imbedded our comments within the Table and it is attached (Attachment 1).

Section II Land Classification and Section III Proposed Ski Area Expansion Specific Comments

WDFW has a number of specific comments on both Section II (Land Classification) and Section III Proposed Ski Area Expansion. These specific comments are presented in table 2 below.

Table 2- Additional Specific Comments on the Mt. Spokane PASEA Land Classification DEIS

Page/Location	Comment
II-4. Table II-1	Acres of Recreation classification in Alternative 4 (330acres) does not match up with the 279 acres stated throughout Section I, II, & III. This table should be corrected and figures should be added that overlay the land classifications and potential land use boundaries.
II-7	Breeding-nesting season should be from April 1 – July 31
II-10	This page contains the statement "…Wetland delineations and stream identification were conducted in the 279 acre ski expansion area…"Please clarify if this included the 20 acres that will be reclassified from "Resource Recreation" to "Recreation". If it does not, then wetland delineation should occur in these 20 acres.
II-10	Seasonal streams need to be included due to impacts water quality and habitat from temporary access roads, grading, riparian habitat loss.

II-11 thru 20	Impacts to watershed resources, vegetation and wildlife are fairly well identified, included permanent and cumulative effects. However, no compensatory mitigation is discussed.
III-1	The DEIS indicates that a significant portion of the PASEA was used for Alpine downhill skiing historically *"...much of it included the original site of the first lift facilities, lodges, and improved trails to be constructed on the mountain..."*. The document should provide information to support this such as run acreage, photos, maps, etc. The cited SE Group 2007 report does not claim that a significant portion of the PASEA was used for historical downhill skiing.
III-4	Relative to Purpose #2. The DEIS notes many generalities about snow retention and quality and note that the PASEA is "as a general rule" better in these categories. Please provide citations or information that supports these statements.
III-4	Relative to Purpose # 3. A large portion of the PASEA (300-350 acres) will remain in Resource Recreation and used by backcountry skiers. Please clarify if further development will be needed in the 300-350 acres in the future to address safety of the skiers. (i.e. safety corridors)
III-12; Table 2-4	Tree Island Retention section. *"A limited number of informal skiing routes would be permitted through the treed islands."* Given the clearing proposed for these, erosion will likely be an issue and they should be formally designed. It is likely that these trails will become formal/informal off season hiking and biking trails.
III-13	This section mentions edge scalloping and feathering. Please indicate whether this is within the considered construction envelope and thus accounted for, or whether this should be considered an additional impact.
III-18 Table 2-4	*"If work between March 1 and July 15 is necessary, a qualified wildlife biologist will conduct preconstruction surveys of the weekly construction footprint for the twenty-one focal wildlife species."* **The window should be through July 31st.**
III-32	*"Only streams that exhibited perennial flow at the time of the site visit were included in the delineation mapping".* The stream identification was performed in the late summer. This is not the recommended time of year to perform these types of assessments, particularly if streams with habitat features were not being classified if they did not contain flow at the time of the survey. An NP stream may have only a PIP exhibiting flow while the rest of the channel downstream is dry. A stream channel within this project area with no flowing water could either be perennial OR seasonal. July/August is not the appropriate time to conduct wetland delineations and can result in an underestimation of habitat.
III-42	Snags and Logs is a priority habitat category. The DEIS repeatedly refers to areas of downed wood in the PASEA as affected by wind, snow, and insects and in some cases statements are made about logging and development. The downed wood, clearly visible in an aerial image, is an important and unique habitat feature on Mt. Spokane, one that is linked to species use. Impacts to this habitat should be clearly defined and mitigated for, rather than categorized and depicted as marginal habitat. This is wildlife habitat linked to small mammal presence, including snowshoe hare, the primary food source for foraging goshawk and lynx.
III-48	Many of the environmental consequences/impacts are stated to be "poorly known or understood". This is why the identification of significant compensatory mitigation for permanent, long-term and cumulative impacts is extremely important.
III-54	*"Selected habitat elements for each species, refined using additional literature*

III-54 – cont'd	*searches as needed, were cross referenced with habitat data collected by Morrison and Wooten (2010) from within the potential expansion area to model and estimate the extent of suitable habitat present for each species."* The method of mapping wildlife habitat appears to be based on the summarization of (through zonal statistic tool in Arc) wildlife habitat parameters for each vegetation/habitat polygons created in the SEIS analysis area (Morrison & Wooten 2010) instead of just using the raster of each Wildlife Habitat parameter, created from the inverse distance weighted interpolation of their 59 ecology plots. An effect of using this method is that habitats may be underestimated.
III-54 – cont'd	The statement about the modification of wildlife habitat within the PASEA (timber harvest, wildfires, roads, ski area development) is biased and contradicts that statement that the" PASEA is largely undeveloped" II-22.
III-71	*"This concern is only relevant during the day and during the winter ski season. During the rest of the year connectivity is less of a concern because of the relative absence of human activity."* Under the classification as Recreation, the ski area expansion, and the creation of "informal" ski trails between runs will facilitate more trails and more use by hikers, mountain bikers, etc. in the spring, summer, and fall. The DEIS includes these activities as current and continuing.
Table EIS 3.4-5 & 6	Lynx Breeding/Denning: estimated as zero. The maps in Morrison & Wooten (2010; appendix C) shows this habitat as present. They also state in the text that denning habitat is present: *"Although adequate habitat is present, denning is not documented in Mount Spokane State Park"*. Please provide references or other information to support the estimate of zero acres of Breeding/denning habitat.
Table EIS 3.4-5 & 6	Lynx Winter Foraging: Typically the literature points to snowshoe hare densities as an indicator for lynx winter habitat, not shrub cover. In a typical snow year, snowshoe hares are more dependent on access to young conifers for forage. Snowshoe hares, like lynx, are not inhibited by deep snow.
Table EIS 3.4-5 & 6	Gray Wolf Winter Foraging: the estimated habitat of zero acres is problematic. Rather than an elevation cutoff of 3500 feet, critical snow depth for moose has been well documented in the literature to be 35" (see Moose for more detail). Wolves will certainly forage above 3500 feet if prey is available.
Table EIS 3.4-5 & 6	Moose Breeding and Calving: The model parameters are not accurate in regards to slope and aspect. 0% does not make sense. WDFW has current collared moose data indicating calving on the NW slopes of Mt. Spokane.
Table EIS 3.4-5 & 6	Moose foraging and cover: thermal cover and aspect should be included as a parameter. These factors, as well as % forest canopy, are very important for moose during high summer temperatures and winter temperature spikes.
Table EIS 3.4-5 & 6	Moose winter foraging: Critical snow depth for moose is 35", however moose are able to move through deeper snow areas if the coverage depth is variable. In addition, snow depths in the mountains obviously vary between and within seasons. Showing the estimated habitat acreage as zero acres indicates that no area of the PASEA receives less than 35" snow. Another important factor is thermal cover in mild winters – which is what the current habitat in the PASEA is providing.
Table EIS 3.4-5 & 6	Northern goshawk: the comments should include reference of the protocol being used and make it clear that another year of survey data is being collected in response to requirements for non-detection in 2013.
Table EIS 3.4-5 & 6	American Pika Breeding/nesting/foraging: The distance to forage is not accurate. Pika will travel much further away from rocky cover to hay. Huntly et al 1986 had 7m for haying. Also, 5000ft in elevation is likely brought in as a model parameter suitable for thermal cover, but this may be too high. Current literature shows that

Table EIS 3.4-5 & 6 – cont'd	pika will utilize available habitat at a lower elevation.
Table EIS 3.4-5 & 6	Western Toad Breeding/metamorphosis: toads will utilize snow melt seasonal pools, ponds, streams, and small lakes to breed – not tied to warm shallow ponds. Since habitat appears to be present, habitat estimates should not be zero acres.
Table EIS 3.4-5 & 6	Western Toad foraging/migration: Toads may tend to stay near wetlands and waterbodies, but can range great distances and are often found using dry forest understory and utilizing small mammal burrows or digging holes to remain cool. Since habitat appears to be present, habitat estimates should not be zero acres.
III -85	Mammalian denning and young rearing life stage needs correcting. Wolves April to Sept (WDFW 2011). Lynx kittens delivered late April to late June, with use of natal den for 21±17 days (ILBT 2013). Wolverine birthing April-June and young weaned at 7-8 weeks (NatServeExplorer). Deer peak fawn birth here is around June 9 extending 2-3 weeks on either side, followed by ~2 weeks of extremely low mobility, then another 10 weeks until weaned.
III-86	Wildlife monitoring should be continued through at least the end of July (not July 15th), if construction is required during the breeding, nesting/denning, and rearing period.
III-87	"No formal trails should be routed into these preferred wildlife habitat elements in tree islands." Though no trails (formal or otherwise) in these islands would be ideal. This is not realistic for safety and other reasons, thus would prefer to see formal trails designed and built properly then informal trails (page III-12) built haphazardly.
III-87	"A generalized wildlife travel corridor links Mount Spokane State Park with the rest of the Selkirk Mountains to the north." The wildlife corridor is mapped in Spokane County's Comprehensive Plan Open Space Corridors. Mt Spokane State Park is a critical link between Selkirk's north and to Antoine Peak south and west through Deadman and Little Spokane Rivers to the Spokane River. Biodiversity Area and Corridors is a PHS category. PHS mapping is not intended to be comprehensive and if habitat is not mapped it is still intended to be designated and protected by definition.
III-98	The Multi-use trail in the PASEA should be incorporated into this project since this trial will likely become a ski trail through islands in winter and vice versa ski trails will become multi-use trails in summer.
Figure EIS -2	PASEA Boundary does not match the boundary depicted in figures for Section II. The figures need to be corrected for accuracy.

WDFW appreciates the opportunity to provide comments on the Combined Draft Environmental Impact Statement for the Mt. Spokane State Parks Classification of Land and Ski Area Expansion. As indicated earlier, our comments are intended to assist you in strengthening the current DEIS and in producing a quality Final Environmental Impact Statement that informs your decision making. Should you have any questions regarding our comments or if you would like to sit down and discuss them further, please contact me at (509) 892-7852. We would also welcome the opportunity to assist State Parks in the future in regards to Mt. Spokane; particularly where further development of the Habitat Management Plan may be needed in order to comply with Spokane County permitting.

Sincerely,

Steve Pozzanghera, Regional Director
Washington Department of Fish and Wildlife
Eastern Region, Region 1

cc: Jeff Davis, Assistant Director, Washington Department of Fish and Wildlife
Mark Wachtel, Regional Program Manager, Washington Department of Fish and Wildlife
Grant Pfeifer, Eastern Region Director, Department of Ecology

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September 30, 2014

VIA U.S. Mail and E-mail: randy.kline@parks.wa.gov

Mr. Randy Kline
Washington State Parks and Recreation
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Olympia, WA 98504-2650

RE: Draft Environmental Impact Statement

Dear Mr. Kline:

We are counsel to Mount Spokane 2000, a Washington non-profit corporation ("MS2000"). MS2000 is the concessionaire operating the ski and snowboard facility at Mt. Spokane State Park. It is the proponent of an expansion of the facility to allow for an additional seven ski runs and a chairlift (the "Project"). MS2000 appreciates the significant investment in staff time and resources State Parks dedicated to the preparation of the combined Draft Environmental Impact Statement (the "DEIS").

MS2000 and State Parks collaborated for over fifteen years to develop an expansion to the facility within the Potential Alpine Ski Expansion Area ("PASEA"). The Project represents the culmination of these efforts. In order to assess the environmental impacts associated with the proposed classification of the PASEA, State Parks and MS2000 prepared the DEIS currently under review in order to have a comprehensive analysis of the potential environmental impacts that may occur after if the PASEA is classified and the expansion is approved.

The environmental review in the DEIS has built upon the Environmental Impact Statement prepared for the 2012 Plan of Development. SE Group retained ICF International to prepare a Wetland Delineation Report and Draft Habitat Management Plan. Each of these studies required a significant amount of on-site field work. The Draft Habitat Management Plan included studies to determine whether the Project would impact the Northern Goshawk. ICF performed tree coring on 108 trees to determine tree age within the PASEA. No other agency or member of the public conducted an equivalent analysis of the Project.

SE Group provided measures to mitigate any potential environmental impacts based upon its significant experience in ski facility development. The performance of this work ensures the Commission has all available scientific information to make the appropriate classification of the PASEA and approve the Project. The DEIS represents the culmination of over a year worth of environmental review for both the Classification and the Project.

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The State Environmental Policy Act ("SEPA") requires commenters to do more than merely advocate a position on a proposal under review. It requires commenters to be specific and identify a scientific basis to undermine the work prepared in an environmental impact statement. Comments are supposed to be as "specific as possible" and limited to the "adequacy of the environmental document or the merits of the alternatives." WAC 197-11-550(1). Agency comments on the methodology should propose alternative methodologies and the reasoning behind the alternative methodologies. WAC 197-11-550(3). It further requires agencies with jurisdiction that have concerns about a proposal to specify mitigation measures that it "considers necessary to allow an agency to grant or approve applicable licenses." WAC 197-11-559(6). Comments by commenting agencies and the public should be as "specific as possible." WAC 197-11-550(6).

A consulted agency that fails to respond with substantive written comments is barred from alleging defects in environmental analysis. WAC 197-11-545(1). If another agency or the public does not comment on a proposal, it is to be construed as a lack of an objection to the environmental analysis. WAC 197-11-545(2). If a comment is not received, State Parks can conclude that an individual or an agency does not object to the environmental review.

There have been volumes of scientific analysis developed for the DEIS. It encompasses not just the DEIS, but also all of the work leading up to the development of the Project. MS2000 understands State Parks received a number of comments on the proposed classification and Project. In order for those comments to undermine the significant work performed by State Parks and MS2000, comment letters must be as specific as possible and directly rebut the environmental review performed to date. MS2000 believes the credible scientific review withstands scrutiny and warrants the approval of the Project.

MS2000 appreciates the continued commitment of State Parks to the classification of the PASEA and the Project.

Very truly yours,

WITHERSPOON • KELLEY

Nathan G. Smith

NGS/kh

C: MS2000