August 24, 2020 Spirit Lake Meeting with Sierra Club, CFC, Western Environmental Law Center, Mt. St Helens Institute and others

Broads attended: Susan Saul, Micky Ryan, Sarah Madsen, Felice Kelly, Laurie Kerr

Susan Jane Brown, attorney with Western Environmental Law Center, discussed the next steps forward following our objection meeting with the FS. She discussed preparing a declaration to demonstrate that we have legal standing. The cost will be about $1000 per organization. In our declaration we need to demonstrate that someone has a personal connection with Pumice Plain. Furthermore, we need to demonstrate how we connect with the land and how we would be harmed if the plan to build the road was implemented. What does this parcel mean to you? Susan Jane noted that we need a declaration from both scientists as well as everyday citizens. The declaration can include photos and videos. Make a story and be creative! Focus on the fact that we need a more permanent solution to the safety concerns; however, the FS proposal is not the one we want. Acknowledge that if Spirit Lake tunnel fails, it is a legitimate safety concern but it won’t happen overnight, and we will have ample time to plan for it.

Susan Jane believes that we have a good strong argument and our chances for success are about 95% because the agency doesn’t have a good response to our concerns. There are no analyses to refer to. We stress that we want a full EIS and we want a full analysis of what the FS will do to address our concerns. We want to put the FS on the trajectory of what we want them to study in the EIS.

Once we file a complaint, hopefully, we can settle out of court. That is our best case scenario. The FS may not have the resources to carry out our plan and we may need to lobby for money and/or expertise since they are prohibited from lobbying for their own cause.

Susan also brought up the fact that the Army Corps of Engineers are doing a study of the basin for another project. We need to understand their position and their project details. Susan said that they are working on and EA. We need to identify these federal actions that are relevant to this project.

Carri suggested a letter to the Chief Vickie Christensen about the developments on the Pumice Plain since she was a forester for several years in Washington and can use her power to alter the trajectory of the proposal. If anyone is aware of pieces of information that the FS is not disclosing, please send these to Susan Jane.

Another piece of information is that Charlie Crisafulli , FS, is retiring at the end of the season and he may be in a better position to help once he retires.

Susan Jane reported that we may have the FS’ decision very soon. She also mentioned that there will be no ground disturbing activity this year. The plan is to have our complaint drafted by the end of September in order to file it early in October. We will need to review the complaint once it is drafted and get signed attorney/client agreement forms. Also, we need to determine who in our organization is the best person to testify. We won’t start the briefing until early in 2021.