

North Fork Nooksack Vegetation Management Project – Public Scoping Letter dated June 1, 2020, **Project #58218**

Public Comment of Amy Mower, Maple Falls, WA, as of June 28, 2020

Via Electronic Submittal

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and

<https://cara.ecosystem-management.org/Public//CommentInput?Project=58218>

I live in Maple Falls, Whatcom County, within easy driving distance to the several trail access roads which would be impacted by the June 1, 2020 Proposal. I have hiked many of the trails served by the access roads, and am familiar with the access roads as well as the stupendous views from both the access roads and the trails.

I appreciate the opportunity to provide scoping comments for the June 1, 2020 Proposal. I have outlined my concerns below and ask that changes be made to the proposed plan to minimize harm to natural resources, including any and all impacts.

Before I get to specific concerns, however, in view of the many documents added to the website in the past few days for review, *please extend the comment period for another thirty (30) days so that people will have an opportunity to review these documents and incorporate them into their comments on this Scoping Letter and the June 1, 2020 Proposal.* Thank you. I list below the added documents, and the dates published after the issuance of the Scoping Letter:

Assessment	Date Published
○ NF Nooksack Watershed Analysis (PDF 115005kb)	06-19-2020
○ Canyon Creek Watershed Analysis (PDF 97787kb)	06-19-2020
○ pnw_gtr892 Climate Vulnerability Assessment (PDF 9495kb)	06-24-2020
Forest Plan	
● Nooksack Project Area Forest Plan Management Allocations (PDF 2599kb)	06-23-2020
● MBS Land and Resource Management Plan - 1990 (PDF 10694kb)	06-23-2020
● NWFP-Record of Decision-1994 (PDF 635kb)	06-23-2020
● NWFP-Standards and Guidelines-1994 (PDF 907kb)	06-23-2020
Scoping	
○ Scoping Area Map (PDF 3391kb)	06-09-2020
● Nooksack Storymap (PDF 64kb)	06-19-2020
○ Additional Maps	
○ Land Allocation Map (PDF 2599kb)	06-23-2020
○ Vicinity Map (PDF 2100kb)	06-23-2020

I. Need for an Environmental Impact Statement rather than an Environmental Analysis:

First and foremost, the June 1, 2020 Proposal meets the regulatory requirements for requiring an Environmental Impact Statement since the proposal is likely to significantly affect the environment, given the huge scale of the project and the significant change in management direction of the Forest Service, and there is substantial controversy on the nature of the subject Proposal.

- Therefore, an EIS is required for this Proposal.
- The EIS needs to address all baseline conditions, and should include, but not be limited to, obtaining for background new independent surveys of plant and animal species, surveys of current road conditions, surveys of geological conditions, and water quality analysis. These baselines are necessary to the integrity of the EIS.
- As a note, the existing 1995 Watershed Analyses for Canyon Creek and Mount BaKer Watersheds (included in the materials posted online for this Proposal) do not meet the regulatory requirements to qualify for using pre-existing analysis, and should not be in substitution for current updates and information. Therefore, an EIS must be prepared for the subject proposal.
- All requirements for completing an EIS under applicable federal and state law, rules and regulations must be met for this Proposal, including the effects of the proposed action, and suggested alternatives.

II. Scoping for EIS for the June 1, 2020 Proposal must include all of the following:

1. **Direct, Indirect and Cumulative impacts analysis of the proposed action must be included in the EIS**, including how contiguous state and private forest lands and harvests have impacts in conjunction with the subject proposal, including but not limited to fragmentation of forest stands, available biologically sustainable habitat, and contiguous and effective wildlife corridors. Such an analysis must include a detailed and quantified evaluation of cumulative impacts to allow for informed decision-making and public disclosure.

2. **The Scoping Letter and the Maps provided as part of the Scoping Letter, do not include an overlay of the silviculture treatments with the designation of National Forest System *land use allocations* found within the subject Proposal area. A GIS map providing an overlay of the land allocations with the proposed silviculture treatments should have been provided with the scoping letter.**

- Neither the over-view allocations (*Late Successional Reserves, Riparian Reserves or Matrix*) nor the numbered specific allocations listed in the subject Proposal are shown on the North Fork Nooksack Vegetation Project Scoping Map of Proposed Forest Stand Treatment. Without that overlaid detail, it is impossible to clearly identify which parcels are properly identified as being proposed for treatments that are appropriate under the Forest Plan, and those proposed treatment locations which might be inappropriate and subject to objection.
- Therefore, the Forest Service should immediately provide additional maps which show this information and by overlay disclose precise locations of the land use

allocations with the subject proposal. *I also urge that the Forest Service extend the time for review and submitting public comments to this proposal.*

- I reserve the right to comment in the future, once the specific allocations are disclosed in overlay format, on the appropriateness of the Proposed Action treatments and acreage for each and all subject Allocations.

3. Specific Detail, not just referring to the Standards and Guidance issued under the 1994 Record of Decision, must be provided in the EIS on standards used for all analysis and for proposed actions, and compliance with applicable federal and state laws, rules and regulations.

4. The EIS must minimize environmental impacts, and review all reasonable alternatives and minimize impacts.

5. Silviculture treatment analysis must be conducted for the EIS on a land use allocation by allocation basis, with specific details as to locations, background detail on current forest conditions, explicit detail on proposed activities, and impacts and mitigation efforts.

- As a note, the EIS must address that accelerating growth in Late Succession Reserve is for harvest primarily, not for increasing growth of old growth trees, in the near term of multiple decades.
- The Canyon Creek LSR lands are described as 'core habitat' in the Executive Summary of the 1995 Canyon Creek Watershed Analysis, page ES 1, "*It includes core habitat key to the functioning of a late successional reserve*"
- If it is core habitat key to functioning of LSR, then it should not be harvested.

6. Independent review, analysis, and disclosure of direct, indirect, and cumulative impacts on species, including but not limited to threatened and endangered species, and including:

Marbled Murrelets, a federally and state listed threatened species

- As stated in the subject Proposal, the first goal is to provide more habitat for Marbled Murrelets, a federally listed threatened species. However, the goal does not work, as the Marbled Murrelets need intact Old Growth forest; and 'thinning previously harvested areas', as suggested in the subject Proposal, is not going to create, on a timely basis, new old growth forest, regardless of how defined. It would take decades for the younger trees to attain age and diversity to meet the Marbled Murrelets' needs.
- In addition, the 2019 decision by the WA State Board of Natural Resources to not provide necessary protections in State Forests, adds to the cumulative, direct and indirect impacts of the subject Proposal on the Marbled Murrelets, as there are State forest lands adjacent to the forests subject to this Proposal. Here is a statement from the Washington Environmental Coalition, Dec 4, 2019,
 - "The Washington State Board of Natural Resources (Board) voted to adopt a Long-Term Conservation Strategy for the marbled murrelet to amend the Department of Natural Resources (DNR) 1997 Habitat Conservation Plan and obtain a multi-decadal Endangered Species Act (ESA) "incidental

take” permit from the federal government to harvest timber on state-managed forestlands despite impacts to threatened marbled murrelets.

Science, including analysis by DNR and U.S. Fish and Wildlife Service biologists, shows that the final Marbled Murrelet Long Term Conservation Strategy as selected by the Board falls well short of meeting the habitat conservation needs required to reverse the decline of these unique seabirds in Washington state...

...According to DNR’s analyses (FEIS p.4-61) the adopted plan will result in fewer marbled murrelets on DNR-managed lands at the end of 50 years than are present today, even under the most optimistic set of assumptions.

Severe species decline, like that of the marbled murrelet in Washington, are critical warnings to us about the health of our environment. The threats to our natural resources on which both human and wildlife communities depend, will only increase as the climate crisis worsens.”

[https://wecprotects.org/washington-board-of-natural-resources-conservation-strategy-fails-state-forests-threatened-wildlife-and-rural-communities/?utm_medium=email&utm_campaign=2019_WEC_Forestry_Marbled_Murrelet_Long_Term_Conservation_Strategy&utm_content=2019_WEC_Forestry_Marbled_Murrelet_Long_Term_Conservation_Strategy+CID_8da5892eeb76f3978116da2432cb1094&utm_source=&utm_term=Read the full statement here:](https://wecprotects.org/washington-board-of-natural-resources-conservation-strategy-fails-state-forests-threatened-wildlife-and-rural-communities/?utm_medium=email&utm_campaign=2019_WEC_Forestry_Marbled_Murrelet_Long_Term_Conservation_Strategy&utm_content=2019_WEC_Forestry_Marbled_Murrelet_Long_Term_Conservation_Strategy+CID_8da5892eeb76f3978116da2432cb1094&utm_source=&utm_term=Read+the+full+statement+here:)

- Furthermore, activities proposed in the subject Proposal would be compounded by future activities approved by the Forest Service for the Excelsior Mine. The Forest Services’ EA released in 2018 for the Excelsior Mine (which would be near the Wells Creek Road) acknowledges that Mine activities would negatively impact Marbled Murrelets:

“Activities generating noise above ambient noise could impact approximately 28 acres of suitable murrelet nesting habitat during the breeding season, from April 1st through September 23rd. As a result, adverse effects from noise generating activities are expected to occur.” Excelsior Mine EA page 51.

These cumulative impacts could be the death knell for Marbled Murrelets nesting in this area.

There should be no timber thinning or timber harvest of any nature in any land use allocation with Marbled Murrelet habitat.

Mountain goats, a species under management regionwide as an indicator species:

- Note, that mountain goats are not even mentioned in Scoping Letter, which is a significant omission given i) historic herd locations (including Church Mtn, Barometer Mountain/Wells Creek Road, Bear Paw Mountain, and Glacier Creek) and ii) WDFW Management Areas under seasonal closure to protect herds (including Barometer Mountain and Wells Creek Road)
- The EIS will need to address the cumulative impacts of any proposed work with the effects of the proposed Excelsior Mine (see above discussion regarding

Marbled Murrelets), which would impact not only the goats but water quality and other species impacts when combined with the subject Proposal.

- There is inconsistency in the subject Proposal between the following two descriptions of permitted activities in Mountain Goat Habitat:

15, LSR, Mountain Goat Habitat: "In this allocation, *there are to be no scheduled timber harvests.* (emphasis added by commentator). If timber management activities are conducted, practices shall be for the purpose of maintaining mountain goat habitat."

And

"Commercial thinning:

* May occur in both LSR MAs and Matrix

* **MAs considered under this category include: 15, 5B**

*Desired conditions for these MAs would be *accomplished through timber harvest* (emphasis added by commentator)."

The land designated as 15, LSR, Mountain Goat Habitat, must be immediately removed from the description of Commercial Thinning.

- Furthermore, Pg 5-16 of the 1995 Mount Baker Watershed Analysis provides that:
 - *Project sites that occur within potential mountain goat winter range should be evaluated for mountain goat use. If use is determined, appropriate Forest Plan Standards and Guidelines should be followed.*
 - Therefore, the above-referenced Standards and Guidelines should be followed for Mountain Goat Habitat. The applicable Standards and Guidelines should have been disclosed in the Subject Proposal, with a discussion of how the Proposal will comply.

7. **What is the evidence of need for huckleberry encouragement?** The following questions need to be added to the Scope of the Environmental Impact Statement:

- Are there quantitative and qualitative studies and reports researching the need for huckleberries, and what do such reports and studies say?
- And what is the justification for the significant acreage proposed for huckleberry encouragement?
- What is the contemplated 'treatment' for huckleberry encouragement?
- What are the environmental impacts of such 'treatment'?

8. **What is the justification for non-commercial thinning in the Mountain Hemlock Zone MA19?**

- How much income will be generated by the proposed non-commercial thinning?
- How long will it take for the regeneration of vegetation, and what is the likelihood of success of the 'encouragement' of huckleberries at such elevation?

9. **Clearcutting at high elevations could create both significant potential for erosion and failure of regeneration of vegetation**

- How will such erosion be prevented both in clearcuts/stand regeneration and in thinning, both commercial and non-commercial?
- There should be no clearcutting at high elevations.

10. **There should not be a project specific amendment, or any other amendment, to the Forest Plan to exempt the subject Proposal from the indicated provisions, standards and guidelines** ("The proposed project-specific plan amendment would allow non-commercial thinning within the Mountain Hemlock Zone MA-19 to enhance habitat for huckleberries.") The 1990 Forest Plan called for a Study of these issues which was never conducted. There is no justification or evidence in the subject Proposal for such an exemption.

11. **Were all questions in Appendix 5 to Canyon Creek watershed analysis (1995), included in the Assessment on the USFS webpage for this project, answered, and if so, where can we access the answers?** Again, I reserve the right to comment on the subject of those answers, once received.

12. **Are any of the lands proposed for thinning or regeneration located in the Mount Baker Roadless Areas?** It may be that even though the Proposal contemplates access of lands from existing roads, if the lands are in the any of the Mount Baker Roadless Areas such activities would be subject to strict regulation. See page 201 of the Canyon Creek Watershed Analysis (1995) for application to the subject proposal:

*"Under current Region 6 policy (R6-RF 1950 memo of 21 13/91, based on the Marsh court decision, 1990), **any proposed timber harvest within the roadless area will require an EIS** (emphasis added by commentator), rather than just an EA, for the NEPA process.*

In addition, the ROD prohibits construction of any new roads in the remaining unroaded portions of inventoried roadless areas (ROD C-7). Potential timber harvest in this area of the Canyon Creek watershed would be affected by that standard."

If any of the land use allocations described in the Scoping Letter are in Roadless Areas, they should be removed from the subject proposal.

13. **Is the NICE project still active?** Under impression that it was cancelled in April 2020 in the SOPA published April 1 2020). However, the Project storybook indicates that the NF Nooksack Vegetation project is part of the NICE project:

"Now, we have a more refined idea for our first main effort under the NICE umbrella. We gave this specific project its own name, since it does not include all elements of the NICE project. We are calling it the "North Fork Nooksack Vegetation Project".

14. **How many trees, and what percentage of a stand, will be cut in each of the proposed commercial thinning, non-commercial thinning, and stand regeneration treatments for the subject Project?**

- What species of trees will be cut in each of the land use allocation locations under the subject Project?
- In which scenario will seedlings be planted?
- What tree species will be used for new plantings?
- Will snags be retained for habitat?
- Will Sustainable Forestry practices be followed?
- Will there be uneven-aged management and will there be diverse species and ages in each of the land use allocations, that is a mosaic?

All of the information listed above should be fully specified and incorporated in the EIS.

15. **Will there be chemical spraying after cutting?**

- What and why?
- How will the impact be mitigated? Is that even appropriate in a National Forest?
- How will spray drift be minimized? What about downwind wildlife, and vegetation, as well as hikers and rangers and other folks out in the woods?

16. **The subject proposal will have a significant impact on scenic views, which are part of huge draw for regional hiking and climbing. All of the proposed work is near or bordering on existing roads which means that previous views of intact forests will now include not only commercial thinning of marketable trees but also clearcuts as well as noncommercial thinning of nonmarketable trees.** Those unappealing views will have a direct impact on hikers, skiers, snowmobilers, hunters and others who use the roads to access the trailheads. Also, much of the proposed project work will be in the viewsheds from the trails themselves, as well as the access roads. Here are the impacted trails and access roads:

- Rte 39 Glacier Creek Road. The *Heliotrope trails* provide access for Coleman Glacier, climbing outfitters, and day hikers. Per 100 Hikes, Spring and Manning, page 30, Heliotrope is the most popular route to summit of Mt. Baker, and hikers and climbers will drive an access road which is close to, and will expose, the tree cutting described in the subject proposal, as well as being seen from trails and the Glacier. *The Skyline Divide* would likewise be impacted by project work accessed from Rte 39.
- Rte 31 Canyon Creek Road project work would impact these trails: *Canyon Ridge, Damfino Lakes, Excelsior Ridge, Excelsior Mtn and High Divide, Damfino Lakes, and Welcome Pass-Excelsior Ridge, Bearpaw Mountain Lake, and Church Mtn,*
- Rte 33 Wells Creek Road project work would impact the *Cougar Divide trail*
- Rte 36 project work would impact *Grouse Butte*

The EIS must evaluate, with independent recreation and economic analysis, those negative impacts on attraction of trails, both for recreation and for economic support to local communities, and determine whether or not the impacts outweigh the actions suggested in the subject Proposal.

17. **The EIS will need to include detail as to how such projects would benefit the local economy,** as generally negative impacts to views along major trailhead access roads and along trails will adversely impact local businesses. There will in all likelihood be loss of tourism, hiking, camping, hunters, birders, skiers, and snowmobilers which will impact the businesses of lodging, restaurants, grocery stores, and convenience stores.

In closing, as said by the WildEarth Guardians in May 2020,

“Now is the time for the Forest Service to reset its priorities. Forest health is not measured by the thousands of acres logged and millions of board feet sold. Forest health is measured by the resurgence of wildlife, the habitat that is reconnected and thriving, the miles of streams that are protected, and the resilience that is woven into these public lands from coast to coast...”

Thank you for your consideration. I look forward to your response regarding the issues I have raised in this Public Comment on the subject proposal.

Sincerely,

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