Comments to April 22, 2022 - Mt. Baker-Snoqualmie Scoping Letter for the proposed NF Stillaguamish Vegetation Management Plan - Barry Gall 5/18/2022

All the below comments are applicable to specific paragraphs in the scoping letter as I thought this would be most useful to the Forest staff. I fully realize this is only a scoping letter. My comments largely reflect issues I recommend be discussed in the Draft EA.

Thanks very much for soliciting comments.

* Pg 1 Para 2. Under Forest Service regulations the USFS is required to also seek comment from WDFW. Please add. In addition, via ESA Section 7 the USFS is required to consult with NMFS and USFWS. Please add narrative in the Draft EA to address.
* Pg 3 table and 1st para. Please define an AMR. What specific "development and testing of technical and social approaches to achieving desired ecological, economic and other social objectives" will occur? Please add narrative in the Draft EA to address.
* Pg 3 para 1. What specific aspects of LSR standards "may be reconsidered" and how would this be consistent with required standards for LSR? Please add narrative in the Draft EA to address.
* Pg 3 last para. A proposed amendment to the Forest Plan to not have to do conduct a study of the effects of such an amendment would result in the effects of the action would be unknown and undisclosed to the public. This is not compliant with NEPA.

What is defense for not doing the study? Please add narrative in the Draft EA to address.

What timber management is proposed in a MA that is "unsuitable for timber production because existing knowledge, research, and experience does not provide reasonable assurance of reforestation success within five years after final harvest (36 CFR 219 14(c)(3))"? Please add narrative in the Draft EA to address.

* Pg 5 1st bullet. USFS should reach out to the experts at WDFW per norm for decades, not just the tribes. The fish population is managed by the State, they have to be involved. Please add narrative in the Draft EA to address.
* Pg 5 3rd bullet. USFS should reach out to the experts at WDFW per norm for decades. Please add. Please add narrative in the Draft EA to address.
* Pg 5 1st sentence of Purpose and Need. It is critical and the established norm to discuss with WDFW how they view the importance of this system and any key issues. Please add narrative in the Draft EA to address.
* Pg 6 1st para. What specific "restoration" actions are being proposed that would benefit the variables listed in this paragraph via a vegetation management proposal, beyond the unspecified road treatments and unspecified tree tipping mentioned briefly below? Please add narrative in the Draft EA to address.
* Pg 6 3rd para. This paragraph only refers to wildlife needs, it does not address "altered hydrologic regimes, accelerated sedimentation in tributaries, provided large scale adjustment to channel form and function, disconnected floodplains and generated undesired downstream effects on native fishes" per the preceding paragraph. That paragraph lists these variables as the ones "in a state of non-function or impairment”, hence the proposed veg management actions do not appear to accomplish the “need”. Please edit and add discussion in the Draft EA to address the variables listed.
* Pg 6 2nd bullet. The effectiveness of these proposed actions can only be assessed if the scope and locations of such actions are generally described. Please edit and add discussion in the Draft EA to address this.
* Pg 6 3rd bullet. There is a reason engineered log jams and other well considered input of wood has been the norm for decades. Unplanned felling and/or mechanical tipping of trees without hydrologic modeling to estimate storm flows and the rivers capacity to move some or all tipped trees somewhere downstream, or remain where felled, can and does sometimes result in adverse flooding, dam break floods, severe stream bank erosion, etc... Please edit and add discussion in the Draft EA to address this.
* Pg 6 4th bullet. How many of these dispersed recreation sites would be located in Riparian Zones or LSRs, and what trees removed to create them? Please edit and add discussion in the Draft EA to address this.
* Pg 8 1st para. What specific defense/rationale is there for not completing the study plan? If veg management actions in these areas are proposed the USFS would essentially need to write such a "plan" to know what they are proposing to do, and what the likely environmental effects will be. Avoiding writing such a plan avoids the issue and seems to infer that the Forest is simply unwilling or incapable of writing such a plan. Please edit and add discussion in the Draft EA to address this.
* pg 8 2nd para. Will this amendment go through rule making like the original Forest Plan did, and if not, on what basis? The above paragraph does not make this clear. Please edit and add discussion in the Draft EA to clearly address this. Secondly, will this proposed amendment go through public scoping, comment, and possible objections, and if not, on what specific basis does this not have to occur? Please edit and add discussion in the Draft EA to clearly address this.
* Pg 8 4th para. This erroneously contends that the environment would change so much in the time span between the EA and implementation that it would be impracticable to disclose the specifics (or at least reasonable ranges) of what is being proposed, where it would occur, and when it would occur. That could not be the case unless it would be many, many years before implementation. Vegetation management proposals have always been able to give this information in past EAs for many decades. Specifically, why can't this one do the same? Please clearly address this in the Draft EA.

Secondly, if this information is not supplied, there is little or nothing for the public to comment on, and it is essentially pointless to issue such a vague EA. It seems that the goal is to prevent the opportunity for meaningful public comment on proposed actions on public land. This paragraph clearly states that the specifics of the proposed action would all be made after the decision is made, when there would little or no opportunity for the public to comment or submit objections. Please clearly address this in the Draft EA.

Thirdly, what specific program staff would eventually make these key vegetation management prescriptions after the NEPA decision was made? There would be no opportunity to assess environmental effects at this point. Please clearly address this in the Draft EA.

Fourthly, if the contention is that conditions have changed, and are continuing to change extremely rapidly (as stated in this para) then the Forest is required to conduct a new Watershed Analysis for the NF Stillaguamish since the current one is 22 years old as the Aquatic Conservation Strategy requires for all land disturbing actions proposed to occur in Riparian Reserves. Please address how and when the MBS will conduct a revised Watershed Analysis for the NF Stillaguamish in the Draft EA.

Lastly, this scoping letter does not even mention that the NF Stillaguamish in a Tier 1 Key watershed for which any disturbance within the Riparian Reserve is required by ACS to be fully explained and fully justified. Please clearly address this in the Draft EA.

* Pg 8 4th para. What specific department staff positions would decide that "guidelines or mitigations" "as relevant"? Guidelines by definition, are set before assessment of impacts are made and before a NEPA decision is made, not after. Please clearly address this in the Draft EA.
* Pg 9 1st para. What staff disciplines will do the following "The environmental effects of implementing proposed actions in the AMA will be evaluated as part of this analysis"? Please clearly address this in the Draft EA.

Secondly, how will these evaluations be documented and how made available to the public? Please clearly address this in the Draft EA.

* Pg 9 1st para states: "treatment prescriptions for this planning area would be developed" after the decision is made. A useful, informed decision cannot be made without some information on the prescriptions. There is not nearly enough information proposed to be disclosed in the EA to allow any form or reasonable "decision" to be made. This simply defers all the important planning to after the decision. These plans need to made regardless, so why not make them before the decision like vegetation management EAs have done for decades? This clearly does not meet the requirement in NEPA for a 'hard look'. Please edit and revise in the Draft EA to comply the requirements of NEPA to conduct a hard look, and to allow for meaningful public comment for actions proposed on public lands with public funds.
* Pg 9 1st para. The 2nd from last sentence again infers that a great deal of time would lapse between the EA and actual implementation. This contention is erroneous and unsupported. Please clearly address this in the Draft EA.

Secondly, what would be the sources of "new or more accurate information" and information on what specific required variables? Unless answers to these questions are supplied, there is no explanation or confidence this would occur or even be needed. Please clearly address this in the Draft EA.

* Pg 9 4th para. Per the definition of AMAs cited earlier in this paper, AMAs test "technical and social approaches to achieving desired ecological, economic and other social objectives". Specifically, how will the effectiveness of the proposed treatments be assessed and documented? Please clearly address this in the Draft EA.

In addition, if these areas are not well monitored for a relatively long period of time, and their results not published (internally or externally) there will be no learning from this effort, which is largely the goal of AMAs. Please clearly address this in the Draft EA.

* Pg 9 para 6. What does "as possible" mean? It means nothing to the reader. Will the Forest abide by USFS snag retention standards or not? Please clearly address this in the Draft EA.
* Pg 9 last para. This paragraph has two sentences that say "may" do, and one that says "could" do. The public has no way to assess what will occur, or even a reasonable range. Please clarify and clearly address this in the Draft EA.

In addition, USFS 'standards' are mandatory, they are not optional. The USFS put a lot of time and thought into what should be a ‘standard’ versus general direction. If a standard is not going to be adhered to, the Forest Plan needs to be amended to change that standard, and if the standard stems from the USFS Handbook or Manual, or from Regional Standards, those documents must also be changed. The USFS wrote these documents to be followed or formally amended. Please clarify and clearly address this in the Draft EA, it is a crucial issue.

* Pg 10 3rd para. Need to state minimum distance from channel. Thinning in "outer portion of riparian reserve" means nothing. Please clarify and clearly address this in the Draft EA.
* Pg 10, 3rd para. "No-cut buffers adjacent to streams" and ""designed using CBM and vary by stream type" is a vague and totally inadequate description. This is absolutely a critical metric in complying with ACS and it is required information for public to partially assess possible impacts to riparian reserves and aquatic habitat. Deferring these metrics until sometime after the NEPA decision is made in no way complies with the ACS or NEPA. Please edit and fully address in the Draft EA so that these buffers are fully described before the NEPA decision is made.

Secondly, such vague language will never be accepted in ESA consultation with the Services. In addition, what staff positions would "design" these buffers using CBM after the NEPA decision? It would need to be both a hydrologist and a fisheries biologist at minimum., and as stated earlier, that making those decision after the NEPA decision is not compliant, appropriate, or acceptable. Please clarify and clearly address this in the Draft EA.

* Pg 10 1st bullet under Commercial and non-commercial thinning. This needs to disclose the range (not exact numbers) of acres that would be thinned, versus heavily thinned, vs skip and gaps and how these various treatments would be decided to be located and why. In addition, it needs to state that maximum diameter of trees to be harvested, and what species would be targeted for harvesting vs being retained. Without providing this information there would not be a sufficient and credible Vegetation Management Plan, and insufficient detail for the public to review and comment on. This is a critical need that the Draft EA must fully describe.
* Pg 10 2nd bullet under Commercial and non-commercial thinning. Summing the first two bullets yields a total maximum of about 5400 acres of Commercial Thinning in Riparian Reserves. The maximum diameter of trees harvested is not disclosed, nor are how may trees per acre would be retained in the riparian reserves, nor why the Riparian Reserves would benefit from Commercial harvest vs non-commercial. There is insufficient information and logic/justification for why these Riparian Reserves would benefit for up to 5400 acres of Commercial thinning and how this would help accomplish the goals of the ACS. It appears that proposed action would not benefit the goals of the ACS and may actually degrade the Riparian Reserves. This is a critical need that the Draft EA must fully describe.
* Pg 12 2nd para. What stands, approximately where, how many max acres. As written this is completely vague and insufficient. Please clarify and clearly address this in the Draft EA.
* Pg 12 para 2. What types of treatments of slash, and what staff departments would be the "specialists"? At a minimum this needs to state the range to treatments that could occur, and which of those would likely be used most frequently. Please clarify and clearly address this in the Draft EA.
* Pg 12 para 4. What would be the estimated greatest miles of temporary road constructed on potentially unstable slopes among the 25 miles of new temporary roads proposed, and how many miles (if any) in riparian reserves? As written, there is no information to disclose the potential impacts of temporary roads. Please clarify and clearly address this in the Draft EA.
* Pg 13 2nd para. What is the possible range of miles of road that may be decommisioned? As written, there is absolutely no scope of the potential beneficial impacts. Please clarify and clearly address this in the Draft EA.
* Pg 14 bullets 1 and 2. What is the possible range of miles of road that may be decommisioned? As written, there is absolutely no possible scope described of the potential beneficial impacts. Please clarify and clearly address this in the Draft EA.
* Pg 14 3rd bullet. Fig 4 shows 13 proposed Aquatic Organism Passage site to potentially restore. This paragraph, however, only refers to possible work on one of them. What ot her sites would be restored? This absolutely needs to be included in the Draft EA.
* Pg14 4th bullet. Some possible range what routes would be relocated needs to be added to the Draft EA, otherwise this is a vague, and possibly empty promise for which the possible beneficial impacts cannot be assessed.
* Page 14 5th bullet. What specific "other possible actions" may occur and over what scope to "restore riparian vegetation conditions" other than the proposed thinning? Since nothing else is listed, the reader can only assume that nothing else would occur. Please clarify and clearly address this in the Draft EA.
* Pg 14 last bullet. No general scope, scale, or general locations are given, so there is no information to assess the possible impacts. There will certainly have to be detailed information for ESA consultation with the Services. Please clarify and clearly address this in the Draft EA

Plus, as noted earlier, there are good reasons engineered log jams and other well considered input of wood have been the norm for decades. Unplanned felling and/or mechanical tipping of trees without hydrologic modeling to estimate storm flows and the rivers capacity to move some or all tipped trees somewhere downstream, or remain where felled, can and does sometimes result in adverse flooding, dam break floods, severe stream bank erosion, etc... Please edit and add discussion in the Draft EA to address this.