



Washington State Chapter

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March 20, 2026

Objection Reviewing Officer,
Pacific Northwest Region,
USDA Forest Service, Attn: 1570/1950 Objections,
1220 SW 3rd Ave, Portland, OR 97204.

Re Objection: Project 68852;
Mount Baker – Snoqualmie National Forest Forestwide Thinning Treatments Project

Electronic submission of this Comment Letter was made via the Project Website
at: <https://www.fs.usda.gov/r06/mbs/projects/68852>

Ladies and Gentlemen,

Please accept this Letter as the Sierra Club, Washington State Chapter, National Forest Committee's Objection to the referenced Project.

The Responsible Official for this Project is Erin Uloth, Mt. Baker-Snoqualmie Forest Supervisor.

On January 12, 2026 the WA State Chapter of the Sierra Club, National Forest Committee, submitted to the Forest Service (the 'FS') its Comment Letter on the Project, (referred to here as the 'Comment Letter'), within the time period permitted for submitting public comments on the Project. We also submitted to the FS on January 12, 2026, as an attachment to the Comment Letter, a copy of pages H-34 through H-144 of the Hydrologic Cumulative Effects Analysis which is Appendix H to the 1990 FEIS to the 1990 MBS LRMP (the "Attachment").

The Comment Letter and the Attachment are incorporated herein by reference, as permitted pursuant to 36 CFR 218.8(b) (4).

For further Definitions, see list of definitions immediately following the Table of Contents.

The MBS is and has been primarily a recreation forest. where its timber production has played only a minor role in both the local timber economy and the entire Puget Sound regional economy over the last 40+ years.

The MBS is the Emerald Jewel of Puget Sound and forms the spiritual and recreational backyard of Western Washington State, including Puget Sound and parts South.

The Current MBS cut has averaged 7 mmbf since FY 2020. See the following for more detail:

- This cut volume represents less than 2% of all cutting in the five western Puget Sound counties: Whatcom, Skagit, Snohomish, King and Pierce Counties. *The remaining 98% of the cutting in those counties is from either State land or private lands.*
- In 2022, direct timber supplied less than 0.4% of all employment in these five counties and was completely overshadowed by annual growth in other sectors

Timber is a very minor component of the Regional five (5) county economy, whereas the MBS is a major part of our collective well-being.

Economic arguments suggested by the FS in the Purpose and Need statement, i.e. “*Need to provide sustainable flow of forest products*” on page 4 of the Final EA fail to justify the proposed Project. For more extensive comments on economic significance of the MBS timber program and the Puget Sound Regional economy, please refer to our Comment letter Section IX, pages 52-55.

Except as otherwise stated in this Objection Letter, the Sierra Club does not accept the FS’ statements and conclusions in the February 2026 Draft Notice of Decision and FONSI, or in the Appendix D dated February 2026 Responses to Comments, or in the 2026 Final Environmental Assessment, insofar as the statements and conclusions address specific comments and/or objections raised by the Sierra Club in the Comment Letter.

Therefore, the Sierra Club is submitting this Objection Letter.

Table of Contents of Objection Letter:

- I. Objections to Lack of FS Response to Certain Comments in the Comment Letter, which we are permitted to comment on and object to pursuant to 36 CFR 218.8 (c);
 - II. Objections to New Changes to Existing Documents (Final EA, Appendices and Hydrology Report), which we are permitted to comment on and object to *based on new information (i.e. revisions by the FS to the Draft EA, Appendices and Hydrology Report, that arose after the opportunities for comment pursuant to 36 CFR 218.8 (c);*
 - III. Objections to New Document- Appendix D Responses to Comments, which we are permitted to comment on and object to *based on new information (i.e. a new document that arose after the opportunities for comment pursuant to 36 CFR 218.8 (c);*
 - IV. Conclusion
-

List of Definitions used in this Comment Letter:

- **Draft EA** means the Draft Environmental Assessment for the Project dated December 2025
- **FEIS** means a Final Environmental Impact Statement
- **Final EA** means the Environmental Assessment dated February 2026, as the document is so titled in the FS' Project website, even though on its title page and in the page headings in the document the word 'draft' is included instead of the word 'final';
- **FS** means the Forest Service
- **LRMP** means the MBS Land and Resource Management Plan dated 1990, as amended
- **MBS** means the Mount Baker – Snoqualmie National Forest;
- **NWFP** means the Northwest Forest Plan dated 1994, and Record of Decision and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Related Species with the Range of the Northern spotted owl (USDA FS and USDI BLM, 1994), as amended.
- **PIA** means the Potential Implementation Area, as defined on page 36 of the Final EA.
- **Project** means the Forestwide Thinning Treatments Project 68852 (FWT) for the MBS

- **WWRCZ BioOp** means the Western Washington Restoration and Collaboration Zone Programmatic Biological Opinions (USDI FWS and USDC NMFS, 2025)

I. OBJECTIONS to lack of FS response to select comments in the Comment Letter, which we are permitted to comment on and object to pursuant to 36 CFR 218.8 (c)

The following text addresses objections arising from comments included in *Sections I -IX of the Comment Letter*:

Objections (under Section I of this Objection Letter) related to Section I of the Comment Letter - *Vagueness In The EA And In The Specialist Reports Fail NEPA Requirements*:

A. With regard to Section I of the Comment Letter, **we object** to the FS' failure to address our comments on pages 5 - 10 of the Comment Letter, including the following sub-sections of Section I of the Comment Letter:

Sub-Section A of Section I of the Comment Letter *"Lack of detail and of specifics so unable to identify any of the specific sites for treatment, whether in 2026 or thereafter to 2056"; see pages 5 and 6 of the Comment Letter;*

We object to the FS' failure to address the issues regarding the Final EA that we raised on pages 5 and 6 of the Comment Letter. Without limitation, those issues include the following:

Page 5 "There is no discussion in the EA or supporting specialist reports as to the methodology or criteria, aside from the 4 criteria called Decision Points listed on page 6 of the EA, that will be used in order to 'down select' from the PIA area to the noted 36,000 acres for treatment. As discussed later in this Comment Letter, those Decision Points are insufficient for identification of the sites for the purposes of the 'hard' look required under NEPA of the FS decision makers, and insufficient under NEPA for public comment and analysis."

Page 6 "In addition, the Maps provided in the EA and in the Specialist Reports are too vague and of unreadable scale and insufficient supporting detail to understand the location of selected thinning units."

Page 6 The map (i.e. Figure 1) on page 2 of the Silviculture Report, purportedly showing locations of the ten (10) Reference Stands, however merely shows location in a very broad -brush manner, showing an approximate location within ten small areas of the entire Mt Baker-Snoqualmie National Forest, in a

rudimentary and imprecise fashion, with no identifying information as to precise location, size, acreage, stand characteristics, etc.

Page 6 “There is no site-specific information as required for compliance with NEPA.”

By way of further example of lack of defined treatment stands (as examined in detail in Section I of the Comment Letter), we note that on Page 3 of the Final EA (dated February 2026), the FS added the words ‘*initial spatial filter*’ re Figure 1 Representative Map. The use of the words ‘*initial spatial filter*’ confirms our concerns, as discussed in Section I Subsection A of the Comment Letter, that there may be unknown and future changes to the locations indicated on Figure 1, and thus confirms our concerns regarding the FS’ failure to disclose the identity of treatment locations as required under NEPA.

Our proposed Resolution:

That the FS provide site-specific information for all sites included in the PIA, including maps of a readable scale.

Sub-Section B of Section I of the Comment Letter. *referring to the application to the Project of the substance and analysis of the Order On Motion For Summary Judgment And Motion To Strike, issued in Alliance For The Wild Rockies vs. US National Forest et. al., Case No 2:24-CV-157-RLP, dated September 16, 2025 (the ‘Court Order’); see pages 6-8 of the Comment Letter.*¹

Based on the discussion in pages 6-8 of the Comment Letter, where we discuss relevant provisions of the Court Order, we note the following paragraph on Page 8 of the Comment Letter, which reflects the conclusions (*which conclusions were copied on page 8 of the Comment Letter*) raised on pages 20 and 21 of the Court Order:

“In the FWT project of the MBS, the EA does not include maps even identifying actual locations for treatment, let alone any maps of unit-by-unit mapping, and the EA’s reliance on condition-based management “renders it too vague to satisfy the requirements of NEPA.””

We object to the FS’ failure to address issues raised on pages 6-8 of the Comment Letter, including but not limited to the following:

Page 6 “The FWT maps are too vague and incomplete to ensure a ‘hard look’ at the environmental impact of implementing the Variable Density Thinning treatment, and to enable the public to meaningfully comment. ...

¹ A copy of the referenced Court Order is submitted as an attachment with this Objection Letter.

Page 6 “The Forest Service should have identified **site-specific project areas** and acreage; as well as identification of watersheds, rather than what the Forest Service did identify as a suite of **potential project areas** and watersheds to be winnowed down from 190,000 acres to 36,000 acres over the 30-year duration of the Project.”

Page 8 “In the FWT project of the MBS, the EA does not include maps even identifying actual locations for treatment, let alone any maps of unit-by-unit treatments, and the EA’s reliance on condition-based management “renders it too vague to satisfy the requirements of NEPA.”

Our Resolution:

- that the FS provide site specific maps and information identifying location, acreage, species of trees, density of trees and all other relevant information for all treatment sites in the PIA.
- In addition, we propose that the FS not use condition-based management for this project.

Sub-Section C of Section I of the Comment Letter. “It appears in the Draft EA that the FS has significant amounts of information regarding the Reference Stands, yet the FS does not provide that information in a manner that identifies with specificity the possible units for cutting”; see pages 8 and 9 of the Comment Letter.

The FS did not address our concerns on pages 8 and 9 of the Comment Letter, where we addressed the type of significant amounts of information on Reference Stands which is found in the Recreation Specialist Report and in the Hydrology Specialist Report.

We object that such significant amounts of information on Reference Stands indicates that the FS has sufficient information to identify the location, acreage, types of trees and other relevant information of the Reference Stands. Failure to provide such specificity in the Final EA precludes the public’s and the decision makers’ ability to make informed decisions as required under NEPA

Our Resolution: that the FS provide information identifying with specificity the Reference Stands, including location, acreage, tree species and sizes and all other relevant information.

Sub-Section D of Section I of the Comment Letter. ‘both the Final EA and several of the Specialist Reports state that there is incomplete and unavailable Information for specific issues’; see pages 9 and 10 of the Comment Letter for extensive citations of paragraphs from the Draft EA and several of the Specialist

Reports. Those citations are included in the Final EA and in the quoted Specialist Reports.

We object to the FS issuing a Final EA where there is incomplete and unavailable information, when combined with failure to identify the proposed stands for treatment. Failure to provide such specificity in the Final EA precludes the public's and the decision makers' ability to make informed decisions as required under NEPA

Our Resolution: that the FS conduct an EIS. Alternatively, that the FS conduct the necessary research to obtain the missing information, and until such information is obtained, to withdraw the Final EA, the FONSI and the draft Final Decision.

Sub-Sections E, F, and G of Section I of the Comment Letter:

We set out below Subsection E, F, and G of Section I of the Comment Letter. The FS did not reply to any of these comments.

“E. There is only one Alternative listed in the EA in addition to No Action choice. The Sierra Club urges and demands a Second Alternative. NEPA analyses must consider a range of reasonable alternative actions and thoroughly assess direct, indirect, and cumulative environmental effects of the proposed alternatives. The Sierra Club urges and demands that the FS provide a Second Alternative for consideration in the EA.

“F. The Plan fails certain Administrative Procedure Act requirements. For all of the reasons stated above, the Forest Service's decision to approve the Project and conduct timber sales without disclosing site-specific actions or taking a “hard look” at the effects of those actions is arbitrary and capricious because it fails to discuss the direct, indirect, or cumulative impacts, including past, present and reasonably foreseeable future impacts of the proposed action, including but not limited to the impacts on the NSO, the MAMU and all other T&E Species populations of animals, fish, and plants, of the take that would result from timber harvest and fuels treatment, as required under NEPA. The EA should be set aside.

“G. The Sierra Club urges and requests that the Forest Service follow the directives, by analogy, of the Eastern District of the Federal Court², and redo

² See page 6 of the Comment Letter (and see previously in this Objection Letter) referring to the *Order On Motion For Summary Judgment And Motion To Strike, of the United States District Court, Eastern District Of Washington regarding the Colville NF, in the case of Alliance For The Wild Rockies vs. US National Forest et. al., Case No 2:24-CV-157-RLP, dated September 16, 2025* [Footnote added to this Objection Letter for clarity since no Footnote was included in the quoted language from the Comment Letter]

the EA, or provide an EIS and provide the necessary detail on this project so as to comply with NEPA. As suggested in the Section II of this Comment Letter, providing the necessary detail and hard look analysis with an EIS will strengthen the FS's compliance with NEPA".

We object that the FS has not implemented our requests provided in Sub-Sections E, F and G of Section I of the Comment Letter as set out above.

Our Resolution: that the FS implement our requests in Sub-Sections E, F, and G of Section I of the Comment Letter as set out above.

In addition, we have the following overarching proposed Resolution to the foregoing Objections, which applies to all of the Objections listed above:

that the **FS provide the detail requested in Section I of the Comment Letter as discussed above in this Objection Letter**, including but not limited to the **extensive mapping** requested on the following pages of the Comment Letter:

- Section III
 - see subsections 1 and 3 on page 17;
 - subsection 17, 2nd paragraph, on page 23, see following language: *"the EA needs to be amplified with the previously requested maps providing an overlay of i) the NWFP LUAs, with ii) the MBS LRMP MA"*;
 - subsection 28, list included in next to last paragraph on page 28;
- Section VI -see first bullet list near top of page 47;
- Section VII -page 49 last paragraph; and
- Section VIII
 - see page 50, top of page several paragraphs;
 - page 51, see following: *"In addition, it is requested that the EA be revised to depict on maps of readable scale all locations of naturally regenerated stands"*,

so that the Public and Decision Makers can adequately and appropriately thoroughly evaluate the project.

Further, in addition, we ask that the FS provide, **as part of the overarching Resolution**, the information requested on page 17, Subsection III subsection 2, of the Comment Letter as follows:

*'The Sierra Club urges and demands that the FS **identify in the EA all targeted stands**, rather than merely showing the Reference Stands. As stated previously, the*

FS appears to have sufficient detail and data to identify the [sic] all stands which the FS intends to cut and treat.'

It is not sufficient to make speculative, conclusory statements about the impact of an action. *Nat'l Parks & Conservation Ass'n v. Babbitt*, 241 F.3d 722, 735 (9th Cir. 2001).³

There is little useful information in the Final EA. There is a good argument to be made that the Final EA does not establish a real baseline from which to determine the impact of the project. What is the forest like now? What are any specifics that would tip the project towards significance?

In conclusion, as a **further proposed overarching Resolution**, we request that the FS provide an EIS for this project and comply with all NEPA requirements and with all disclosure requests which we have made in this Objection Letter, and in the Comment Letter.

B. In addition, under this Subsection B of Section I of this Objection Letter, the Annual Implementation information on the next year's proposed selected cutting units and related actions, as described in Appendix A, page 66 of the Final EA, fails NEPA in three ways:

B. 1. The first NEPA failure is that the FS stated on page 114 of the Final EA, Appendix D⁴, fourth row where the FS stated, in response to commenters' request (including the Sierra Club) to delivery of documents to the public prior to the annual review (which is described in Appendix A):

*"The timing of the consistency review and the information needed to complete the review is most often not completed until just before contracts are ready to go out. Therefore, it is **unlikely the consistency review submitted and reviewed by FWS and NMFS** will be available at the time of the annual public review package."* [bold emphasis added]

The FS thus states effectively that it cannot commit to deliver *at the time of the annual public review package* to the public:

- the consistency review request and

³ A copy of the referenced Opinion is submitted as an attachment with this Objection Letter.

⁴ which we are permitted to comment on and object to *based on new information (i.e. Appendix D is a new document that arose after the opportunities for comment)* pursuant to 36 CFR 218.8 (c)

- subsequently issued consistency and compliance review reports from the USFWS/NMFS

pursuant to the Western Washington Restoration and Collaboration Zone Programmatic Biological Opinions (USDI FWS and USDC NMFS, 2025) [*referred to herein as the WWRCZ BioOp*],⁵ which are to be obtained by the FS pursuant to Section 4.5 of the WWRCZ BioOp, and which, we suggest, are to be shared with the public pursuant to the NEPA process described in the WWRCZ BioOp Section 4.5.3.1.

In addition, future annual decisions will not have the full benefit of NEPA review, even though a NEPA official is on the Level 1 team, as under Appendix A to the Final EA there is no mechanism for administrative review, objection and appeal as would be the case under NEPA, contrary to what is required under Section 4.5.1 of the WWRCZ BioOp.

We object that the above statement by the FS in Appendix D, page 114, fourth row, is not acceptable as the public needs to have that information in order to make an informed decision on the annual public review packages, and for the FS to comply with NEPA.

B. 2. the second NEPA failure, is that the FS does not commit to commence the notification for said consistency review *prior to signing the Final Decision* as required under the WWRCZ BioOp, pages 102-103, Section 4.5.3.1. See following for a copy of the relevant sentence of said Section 4.5.3.1:

4.5.3.1 Twenty Day Review and Input

*“For activities that require a Forest Level 1 review (see Table PD 2), the notification will be sent to the USFWS and/or NMFS **prior to the USFS signing a decision.**”* [bold emphasis added]

The FS is obligated to give notification to the USFWS and/or NMFS, to issue their review and consistency report, *prior to the USFS signing a decision*, which we take to be the imminent Final Decision, as Section 4.5.3.1 does not refer to multiple annual decisions⁶.

This project is listed in the category of activities listed on said Table PD 2, page 6 and 7 of the WWRCZ BioOp:

‘Forest Management ... A. Commercial Thinning – Stands < 80 Years of Age – (1) All proposed thinning and associated activities within 1 SPTH of perennial streams.’

⁵ We are permitted to refer to the WWRCZ BioOp as we referred to it in numerous locations in the Comment Letter, pursuant to 36 CRF 218.8 (c)

⁶ Note that on page 20 Paragraph #20 of the Comment Letter, we also referred to Section 4.5.2 *Step 2. Project Level Consistency Review*, of the WWRCZ BioOp. Since the FS has the WWRCZ BioOp in its records, we are not submitting a copy, pursuant to 36 CFR 218.8 (b) (2) and (3).

It appears that the FS contemplates *not* providing the required notification prior to signing the Final Decision. Neither the Final EA or the Appendix A contemplate obtaining this review prior to signing the Final Decision.

Instead, pursuant to Appendix A, the FS would obtain this review on an *annual basis* when determining the following year's planned treatments.

The result is that it appears that as contemplated in the Final EA, Appendix A, the WWRCZ BioOp review would apply merely to each of the 30 annual projects which are separate in space and time from each other, but would not apply to the Final Decision on the entire project nor apply to impacts on the entire MBS nor apply even merely to the acreage of the PIA or the acreage of the Reference Stands.

Please note the WWRCZ BioOp's recognition of the role of NEPA and public comment in Section 4.5.1 on page 101 of WWRCZ BioOp:

“Activities of this Proposed Action will meet the applicable requirements of the NEPA of 1969, as amended (42 U.S.C. 4321-4346) which requires the Forest Service to:

- Fully integrate NEPA requirements into agency planning and decision-making...”*

With regard to Subsection B. 1 above, we object to the FS' failure to provide in the Final EA that the FS shall deliver the requested notification and BioOp documents as part of the annual public review package and prior to the USFS signing a decision; and

With regard to Subsection B. 2 above, we object to the FS' failure to provide in the Final EA that the FS shall obtain the results of the BioOp review prior to issuing the Final Decision on the Project (distinct from the decisions on the annual reviews).

Our proposed resolutions regarding timing of delivery of the USFWS and/or NMFS reviews are the following:

We propose that the FS make the requested notification and deliver the required documents, described in the WWRCZ BioOp, Section 4.5.3.1, *prior to issuing the Final Decision.*

If, alternatively, the FS has received a *waiver* from the USFWS permitting the FS to forego obtaining that review prior to issuing the Final Decision, and instead is permitted to have annual consistency reviews, please provide that waiver to the public.

If the USFWS permits the annual consistency reviews, the FS can instead set up its delivery schedule of WWRCZ Bio Op required documents to the FWS and NMFS on a timely basis far enough ahead of the annual review for the public, so as to permit delivery of the issued consistency review and other requested documents to the public for the annual review.

Alternatively, the FS can wait to schedule the annual review until such time as the FS has received the consistency review from the FWS and NMFS.

In addition, the FS should not constrain the annual public process by tightly bookending the public process between the FS' receipt of the consistency review and the FS getting contracts ready to go out.

Under WWRCZ Bio Op, section 4.5 *Implementation Process*, the public participation is part of the NEPA process required under Section 4.5.1.

Our further Resolution is that the FS provide evidence of its compliance with all of the requirements of Section 4.5 of the WWRCZ BioOp where the BioOp recognizes *the role of NEPA and public comment*. See Section 4.5.1 on page 101 of the WWRCZ BioOp, referred to above in this Subsection B.2.

B.3. An additional NEPA failure is that the Public Review as described on page 66 of the Final EA, Appendix A, does not provide for or otherwise articulate, an *objections and administrative resolution process* under NEPA (*which we are permitted to object to*, pursuant to 36 CFR 218.8 (c)); to as we previously commented on this point); see below copy of relevant portions of page 20 paragraph number 14 of the Comment letter:

“14. The Sierra Club urges and demands that Appendix A be revised to include full NEPA compliance on annual scheduling of following year’s cut...”

....

“The Sierra Club also urges and demands that there be an opportunity for members of the Public to Object to any review by the deciding official prior to implementation, as well as an opportunity for administrative appeal processes before any decision is implemented.”

We object to the FS failure revise the Final EA to provide an opportunity to object to any review during the annual public process, as well as an opportunity for administrative appeal, before any decision is implemented, in addition to the previously mentioned NEPA failures under Section I of the Comment Letter.

Our Resolution: that the FS include an objection process as part of the annual public review provided in Appendix A to the Final EA

C. Condition Based Management: We commented on the FS' use of Condition Based Management ('CBM'), see pages 7 and 8 of the Comment Letter. Although the FS responded to our comments with its Response on Page 110 of Appendix D, bottom two rows, the Response was merely general and did not address the concerns that we raised as to the appropriateness of the use of CBM. Specifically, the FS did not address the legal critique of the use of CBM raised by the WA Eastern Federal District Court in the previously referenced Court Order. Our comment on page 8 of the Comment Letter, with quotes from the Court Order, follows:

"However, as stated in the Order on the Motions:

Page 19 of the Order

"Rather than provide specific locations for treatment types, the Project employs a harvest plan known as condition-based management. AR 01213-14. Condition-based management is defined as a flexible strategy "that allows predetermined treatments to be aligned, prior to implementation, with current conditions on the ground." AR 01214. It "involves developing treatments based on pre-identified management requirements but deferring specific decisions which treatments will be applied in particular locations until the Forest conducts pre-implementation field reviews." The Project identifies pre-defined "decision points" to determine locations of particular treatments at the time of implementation. AR 01213-14"

Page 20 of the Order

"The Ninth Circuit has expressed concerns about "excessive reliance on condition-based management." North Cascades, 136 F.4th at 829. Nevertheless, the court has approved condition-based management when the area subject to condition-based management is "fairly small" and the Service provided "extensive mapping" which consisted of "unit-by-unit maps of the maximum effects of each treatment" type. Id."

Note: citation above is to *North Cascades Conservation Council v. U.S. Forest Service*, 136 F.4th 816, 824 (9th Cir. 2025)

Page 20 of the Order

"Here, there is no unit-by-unit mapping of the maximum effects of each treatment type. Instead, the maps developed by the Service only identify locations for the two different restoration types—commercial and noncommercial."

Page 20 and 21 of the Order

"the EA's reliance on condition-based management renders it too vague to satisfy the requirements of NEPA."

“In the FWT project of the MBS, the EA does not include maps even identifying actual locations for treatment, let alone any maps of unit-by-unit mapping, and the EA’s reliance on condition-based management “renders it too vague to satisfy the requirements of NEPA.””

We object to the FS’ use of CBM in the FWT project. Based on the analysis in the Court Order, the FWT project should not use Condition Based Management, which it does with the Decision Points found on page 7 of the Final EA, and by specifically identifying CBM as the FS’ methodology for the FWT project.

The condition-based management analysis here goes beyond what has been approved by the Ninth Circuit. While the *annual implementations of the Project* are somewhat comparable in size to that approved by the Ninth Circuit, there is a stark difference when it comes to mapping as discussed earlier in this Objection Letter. The Project fails NEPA when it comes to required specificity in mapping, and thus also fails the requirements of any court-permitted application of Condition Based Management.

Our Resolution, is that the FS not use Condition Based Management in this project as it renders the EA too vague to satisfy the requirements of NEPA.

Objections (under Section I of this Objection Letter) related to Section II of the Comment Letter - Need An EIS For The Project

1. With regard to Section II of the Comment Letter, regarding the need for an EIS, **we object** to the FS’ failure to address our concerns which we raised on pages 10-16 of the Comment Letter, which we restate below. **Our proposed Resolutions** follow below after our discussion of specific issues in those pages 10-16 of the Comment Letter which were not addressed by the FS.

2. Without limitation, **we object** that the FS has not provided any cumulative effects analysis or any of the following, copied from the Comment Letter:

Page 10: a cumulative effects analysis of the entire project, being the entire Mt Baker-Snoqualmie National Forest, to be produced and delivered prior to signature of any Decision on the project;

Page 11: the 190,000 acres from which 36,000 acres will be chosen to be treated during the project;

Page 11: the cumulative effects analysis on the entire population of NSO or MAMU in the MBS, or other species of animals, fish or vegetation

Page 11: However, the EA and the FS need to analyze the cumulative impacts on NSO and MAMU of not only the FWT but also other federal projects as well as of state projects, and as well as private projects under Habitat Plans.

Page 12 and 13:

The Sierra Club urges and demands that such cumulative impact analysis on the Puget Sound Spring Chinook and Steelhead and Bull trout of not only the FWT but also other ongoing and continuing federal, state and private projects, reasonably foreseeable, be included in the EA/EIS. Such analysis would be in addition to the WWRCZ Section 7 analysis.

The FS asserts in Appendix D, page 110, fourth row that the Interim USDA NEPA Regulations at 7 C.F.R. § 1b.5 do not require cumulative effects analysis.

However, the operative NEPA statute does not preclude such an analysis, so we repeat our concerns, and raise the same concern with regard to ensuring NWFP protections of habitat for endangered species, including but not limited to the Northern Spotted Owl, the Marbled Murrelet, and listed salmonoid species, and their Designated Critical Habitat.

Regarding cumulative effects analysis *over the life of the Project*, the FS cannot simply pick an arbitrary timeframe for analysis that makes the impacts seem de minimis. That would be the case of the FS looking only at the effects of each annual implementation rather than the effects cumulatively over 30 years and over the entire 30,000 to 36,000 cumulative acres.

For example, the long-term impact of road reconstruction will necessarily increase sediment as more road miles are added every year, without the previous year's "temporary roads" becoming hydrologically recovered. The EA never mentions the impact of all the aggregated road miles – 6 miles a year for 30 years leads to 180 miles of temporary roads. And, yes, they may be decommissioned but it takes a long time for them to recover.

The above cumulative building of 180 miles of temporary roads over the 30 years also does not meet the ACSO directive to "maintain and restore" the sediment regime. See NWFP Standards and Guidelines (the 'S&G') B-9 through B-11.

The FS cannot show compliance with the NWFP S&G B-9 through B-11, and cannot show compliance with the NWFP S&G regarding strict rules for hydrology, roads and habitat protection. The burden is on the FS to show compliance with the NWFP lack of any specificity.

We object to the FS' failure to conduct a cumulative effects analysis.

A forestwide project, even if separated by space and time, will impact an entire ecosystem, particularly when there are other ongoing national forest projects which have not been cumulatively evaluated with the proposed project. By way of example, failing to look at the impacts on the NSO or the MAMU over the entire MBS NF, and the impacts of neighboring or abutting projects which reduce current foraging, roosting, nesting, and dispersal habitats, results in not having the entire picture of impacts on a given species. Without knowing what neighboring projects overlap in terms of species habitat, and short term and long term impacts, the FS cannot accurately determine, or state, what will be the impacts on listed species.

The FS acknowledges, in the EA at page 34 (quoted on page 11 of the Comment Letter) that:

*“The project May Affect, Likely to Adversely Affect the **Marbled Murrelet** and **Marbled Murrelet Critical Habitat**, **Northern Spotted Owl** and **Northern Spotted Owl Critical Habitat**”.* [bold emphasis added]

In addition, see the Fisheries Report, at page 43-44 (quoted on page 12 of the Comment Letter) where the FS acknowledges the following:

“the following ESA determinations were found:

*It is my determination that the Forest-wide Thinning Project may affect and is likely to adversely affect **Puget Sound (PS) Spring Chinook salmon** and its designated critical habitat for Alternative 1.*

*It is my determination that the Forest-wide Thinning Project may affect and is likely to adversely affect **PS steelhead trout** and its designated critical habitat for Alternative 1.*

*It is my determination that the Forest-wide Thinning Project may affect and is likely to adversely affect **PS bull trout** and its designated critical habitat for Alternative 1.”*

All of these endangered species and their critical habitat are at risk of being adversely affected by the Project. The FS must conduct cumulative effects analysis under NEPA and under the NWFP in order to adequately determine the effects of the Project on each of these species and their critical habitat. Merely having the Section 7 programmatic approval under the WWRCZ is not sufficient.

In addition, the stated purpose of these silvicultural treatments is to benefit the creation and maintenance of late-successional forest conditions. NWFP, Standards & Guidelines C-11 through C-12. The Final EA suggests that all the prescriptions will bring the stand Relative Density down to 35%. However, the Final EA does not correlate this decrease in Relative Density, with the consequent decrease in canopy cover, nor correlate the decrease

with the impacts on endangered species such as the marbled murrelet and the northern spotted owls. Evaluating the Canopy Cover is the primary methodology used to determine habitat effectiveness for northern spotted owls. There is a complete lack of information in the Final EA supporting the FS' claim that the thinning actually will benefit the creation and maintenance of late-successional forests or otherwise reduce the time required for such stands to develop old growth characteristics, and the critical habitats currently found in those LSR forests and such future critical habitats, as required by the NWFP.

Our resolution: that the FS conduct thorough cumulative effects analysis, under NEPA and under the ESA, of all listed species in the MBS, *but also in other federal projects in the MBS and abutting the MBS as well as of state projects abutting the MBS, and as well as private projects abutting the MBS under Habitat Plans. Such analysis would be in addition to the WWRCZ BioOp Section 7 analysis.* Such cumulative effects analysis to be delivered prior to the issuance of the Final Decision.

3. Without limitation, specifically regarding Puget Sound Spring Chinook and Steelhead and Bull Trout, see page 12 of the Comment Letter, next to last paragraph on the page:

The Sierra Club urges and demands that the FS in the EA specifically protect water quality and cooler water temperatures as those conditions in all of the MBS watersheds, rivers and major tributaries are a critical part of maintaining critical habitat and suitable spawning and rearing conditions. Maintaining the integrity of the riparian zones is essential to this as well as controlling erosion from roading and logging.

We object that the FS has not revised the Final EA to include our requests listed above, with the result that the FS is not protecting the habitat of listed species as required under the NWFP and under the ESA

Our Resolution: that the FS revise the Final EA and include our requests listed above.

4. without limitation, specifically regarding the Marbled Murrelet and the Northern Spotted Owl, we made Seven requests of the FS, *found in subparagraphs a) through g)* on pages 15 through 16 of the Comment Letter.

We Object to the FS failure to adopt our *requests a) through g)*, with the result that the FS is not protecting the habitat of listed species as required under the NWFP and under the ESA

Our Resolution: that the FS revise the Final EA and include our requests a) through g) of the Comment Letter.

We emphasize this issue by copying from page 15 of the Comment Letter the following paragraph with regard to the Northern Spotted Owl and the Marbled Murrelet:

*“ii) if the FS truly supported protecting these species, it would have included in the REO Consistency Request, and in the EA and all Supporting Documents, **strict provisions to retain out of all the ‘dense’ trees between 20” and 26” DBH in LSR sufficient numbers of those larger trees** that would, with more light around them and less competition in the dense current plantation forests, likely sooner develop into late seral or old forest. Any such retained larger trees have the likelihood of reaching such late seral or older forest status significantly faster than trees less than 20” DBH which might be left after the proposed Variable Density Thinning.” [bold emphasis added]*

Our overall proposed Resolution for the issues remaining outstanding on pages 10-16 of the Comment Letter is that the FS issue an EIS for this project that addresses all of the issues we raised on those pages.

Objections (under Section I of this Objection Letter) related to Section III of the Comment Letter: Comments re EA and Supporting Documents

1. Without limitation hereby, the FS did not address our concerns regarding **prioritization of annual projects**, found on the following pages of the Comment Letter:

page 2, last paragraph above Background Section:

“We also request disclosure of prioritization of projects over the 30-year lifetime of the project,”

page 18, Paragraph 5:

*“5. There is no discussion in the EA of **prioritization** of annual projects nor the criteria used to establish such a prioritization; is the treatment going to be implemented north to south or is there some other timing to be determined later but not addressed in the EA? The public needs to understand the prioritization so as to understand the impacts of the project. The Sierra Club **urges and demands** that such a prioritization schedule be added to the EA.”*

We object to the lack of prioritization of annual projects over a 30-year lifetime of the project, which precludes the public and the decision makers from making an informed decision on the project under NEPA.

Our resolution: the FS shall provide a prioritization of the projects, with specific detail explaining how the prioritization was determined, and how it will be implemented, and what will be done if changes are required.

2. The FS did not address our concerns requesting the delivery of **supplemental information** as part of the annual review process, raised in Paragraph 14⁷ on Page 20 of the Comment Letter. Our request included the delivery of information that was in addition to the USFW and NMRS information discussed previously in this Objection Letter. See the first bullet of following copy of Paragraph 14:

*“14. The Sierra Club **urges and demands that** Appendix A be revised to include full NEPA compliance on annual scheduling of following year’s cut, including the following additional documents delivered to the public for public comment as part of the annual review process of the following year’s suggested cut:*

- ***copies posted of all specialist reports and maps from personnel listed in Appendix A** [bolded emphasis added] as well as*
- ***a copy of the USFW and NMRS signoff on Section 4.5.2 compliance** (page 102 of WWRCZ Bio Op); being the report described on page 61 of EA:*

“NMFS and USFWS will provide MBS project level concurrence upon completion of the Level 1 consistency review process”, as well as

- ***the NMFS and USFWS consistency review itself.***

We object to the FS failure to commit to including the requested *copies of all specialist reports and maps from personnel listed in Appendix A as produced for the determination of the following year’s suggested cut* in the annual public review processes which precludes the public and the decision makers from making an informed decision on the project under NEPA, and does not follow the requirements under Section 4.5.1 of the WWRCZ Bio Op to comply with NEPA.

Our proposed Resolution is that the FS include in the Final EA a provision to deliver to the public the documents described above with each annual determination of the following year’s implementation and identification of stands to treat.

3. The FS did not address our concerns raised in the Comment Letter on page 22, paragraph 16:

*“16. **Prescribed Fire**; the Fire, Fuels and Air Quality Specialist Report focuses on activity fuels and prescribed fire; however, prescribed fire is not described in the EA*

⁷ Paragraph 14 is referred to earlier in this Objection Letter with respect to: a) our concerns the missing NEPA process for the annual review and b) the timing of delivery of the USFWS and NMFS reviews as requested to be delivered prior to the annual review or prior to signing the Final Decision

as part of the treatments. The EA does not include any description of fuels treatment other than the removal of slash, as discussed above, on page 14 of the EA....

The Sierra Club objects to using prescribed fire for other than removing activity fuels/slash, and urges and demands that the EA and the Fire, Fuels and Air Quality Specialist Report be revised to reflect that there is only limited use of prescribed fire in this project to be applied solely for removing activity fuels/slash, or not at all”

Prescribed fire is not described nor listed as a treatment in the Final EA. Further, see the Final EA’s description of the post thinning treatments of activity fuels on page 9:

*‘One or more of the following treatments may occur following commercial harvest: hand or machine piling and then burning, chipping, or masticating; lop and scatter; broadcast burning; or removal via hauling away. These **activity fuels** treatments would occur within the harvest units only.’ [bold emphasis added]*

Please note, however, those statements in the Final EA do not include prescribed fire in the list of treatments.

We object to the failure to make the revisions requested in our Comment Letter, page 22, paragraph 16 to delete all references to prescribed fire.

Our Resolution: the FS shall make the requested revisions to the Final EA and to the Fire, Fuels and Air Quality Specialist Report, and also revise Appendix A, to remove all references to prescribed fire as part of the treatments for the Project.

Alternatively, the FS shall define ‘*prescribed fire*’ in the Final EA and in the Fire Fuels and Air Quality Specialist Report as being only such burning or broadcast burning used solely for treatment of activity fuels following commercial harvest, and occurring only within the harvest units.

4. The FS revised Appendix A to the Final EA, page 70, by adding the new bolded words below to the description of the Fuels Planner’s responsibilities. We are commenting on these changes as permitted pursuant to 36 CFR 218.8 (c) (*i.e. revisions by the FS to the Draft EA, Appendices and Hydrology Report, that arose after the opportunities for comment*), due to the overlap between i) our concerns that the use of the words ‘prescribed fire’ was not changed, as we requested, in the Final EA, and ii) the fact that the FS added new responsibilities for the Fuels Planner that would utilize prescribed fire. See below for the new language, in bold:

*“The Fuels Planner (or other applicable fire staff) will work with the Silviculturist to identify strategic opportunities for thinning treatments (**such as along***

Potential Operational Delineations or Potential Control Locations, and to plan activity fuel treatments).”

Since PCLs and PODs involve prescribed fire, that reaffirms the FS focus on prescribed fire contrary to our Comments in the Comment Letter pages 22-paragraph 16 demanding prescribed fire be removed from the EA and the Fire, fuels and Air Specialist Report.

We object to the addition of these responsibilities in view of our discussion immediately above regarding Paragraph 16 on page 22 of the Comment Letter. No explanation was provided as to why these were included when such treatment is not included in the Project or otherwise discussed in the Final EA. Such proposed treatment would require a new NEPA process and an amplified Final EA.

Our resolution: delete the words: *‘along Potential Operational Delineations or Potential Control Locations’* from the description of the Fuels Planner responsibilities.

5. Paragraph 21, pages 24 and 25 of the Comment Letter detailed our requested provisions for Monitoring, which were not included in the Final EA.

We object that those provisions were not added to the Final EA, and we object that the FONSI (*to which we may comment as it is a new document which we are permitted to comment on and object to based on new information i.e. a new document that arose after the opportunities for comment pursuant to 36 CFR 218.8 (c)*) has included merely a brief summary of monitoring.

Copied below are the comments we made on monitoring, on page 25 of the Comment Letter:

“Note that monitoring of Forest projects is a requirement of the Northwest Forest Plan (NWFP), in which the Standards & Guidelines specify:

“Monitoring is an essential component of natural resource management because it provides information on the relative success of management strategies. The implementation of these standards and guidelines will be monitored to ensure that management actions are meeting the objectives of the prescribed standards and guidelines, and that they comply with laws and management policy. Monitoring will provide information to determine if the standards and guidelines are being followed (implementation monitoring), verify if they are achieving the desired results (effectiveness monitoring), and determine if underlying assumptions are sound (validation monitoring).”

(NWFP, Standards and Guidelines, p E-1)

Currently, there is no discussion of long-term post-project monitoring within the EA. The EA must be revised to add a monitoring plan for this project that would clearly describe how the post-project monitoring will take place, what will be measured and tracked, and how the forest will apply adaptive management to study the cumulative impacts of the project. The monitoring would include Implementation Monitoring, Effectiveness Monitoring and Validation Monitoring as described in Section E: Implementation, of the NWFP Standards & Guidelines. It would also describe when, why, and how the Forest Service will make changes to subsequent watershed projects as a result of such monitoring.”

Our Resolution: The monitoring provisions must be explicitly addressed in Final EA instead of merely being summarized in the Final Decision. We refer you specifically to the protocol and information that we included on pages 24 and 25 of the Comment Letter, and demand that all of those provisions be included.

Without limitation, as part of the monitoring, implementation and effectiveness of the Project Design Criteria need to be clearly and explicitly determined.

Without limitation, the Final EA must identify the specialist technologies required to conduct a scientifically reliable monitoring program, must have a specific plan for monitoring, and include protocol for reporting. There must be a mechanism and protocol for how to modify the project if the monitoring determines that changes are necessary.

6. On page 10 of the Comment Letter, we requested the following:

“E. There is only one Alternative listed in the EA in addition to No Action choice. The Sierra Club **urges and demands a Second Alternative.** NEPA analyses must consider a range of reasonable alternative actions and thoroughly assess direct, indirect, and cumulative environmental effects of the proposed alternatives. **The Sierra Club urges and demands that the FS provide a Second Alternative for consideration in the EA.**”

We object that no Second Alternative was offered in the Final EA, as such an analysis would have enhanced review of the project by both the public and decision makers.

Our Resolution is that the FS offer a Second Alternative in the Final EA

Objections (under Section I of this Objection Letter) related to Section IV of the Comment Letter - Comments On Hydrology Specialist Report; Including Need For Updated Watershed Analyses: pages 28 – 41 of the Comment Letter

1. The FS did not address our concerns regarding the impacts of Climate Change on the Forest, including an analysis of the potential impacts and the recommendation to replace culverts and remove unnecessary roads, Page 29 of the Comment Letter:

“The FWT EA project must be revised to take climate change into consideration, and follow the USDAs own recommendations to address the expected increase in storm intensity and duration by relacing culverts and removing unnecessary roads.”

See (<https://www.climatehubs.usda.gov/hubs/northwest/topic/atmospheric-rivers-northwest>), quoted below:

“Knowing how atmospheric rivers will increase in frequency and intensity with climate change is important for planning. Understanding the future of atmospheric rivers will help in watershed planning. Adding climate change considerations into forest management plans, for example by replacing undersized culverts and removing unnecessary roads, will help decrease the negative effects of large storms and flooding on infrastructure.” [emphasis added]

We object that the FS response to Climate Change concerns was to consider the impacts of the project on *exacerbating* climate change. Our concern is the increasing impact of climate change on the hydrologic condition of the Forest, and the need for the FS to follow the recommendations of the USDA in considering climate change and its impacts on the hydrologic cycle. The FS has not addressed this comment.

Our Resolution: The FS must address the impacts that Climate Change may have on the hydrologic cycle, and the impacts that the increased frequency and intensity of storm events will have on the roads system, by replacing undersized culverts and removing unnecessary roads. A full hydrologic analysis must be undertaken to determine these potential impacts.

2. The FS did not address our comment regarding the incomplete nature of the analysis of Hydrologic Condition of the watersheds, Page 30 of the Comment Letter:

‘A full hydrological analysis would analyze flow rates of streams, peak flow rates and duration of flows during storm events, as well as the specific conditions on the forest that are currently causing hydrological concern (e.g. culverts, unstable roads, steep slopes and connected drainage pathways), and would address the changes in these conditions that are expected as climate change occurs over the life of the project. Until data such as noted above is presented and analyzed, an adequate Hydrology Report has not been prepared. Despite this fact, the Hydrology Report states on page 32, “The project is not expected to change current peak or base flows measurably from existing conditions with proposed treatment.” It is not possible for such a statement to be true if there have been no baseline measurements taken or

presented, if a full hydrological analysis has not been done, and if the expected increases in intensity and duration of storm events are not accounted for and their effects evaluated.'

We object that the FS did not address these concerns, and no Hydrologic Analysis has been conducted that would validate the FS' claims that this project will not impact flow rates, all of which would be needed under NEPA for the public and the decision makers to adequately and thoroughly assess the impacts of the proposed project.

Our Resolution: The FS must provide data that their claim that no changes in the hydrologic conditions of the forest are to be expected, despite the impacts from increased imperviousness of the soil and the anticipated increase in frequency and intensity of precipitation events due to climate change.

3. the FS did not address the requirement that the Hydrology Report and the Final EA comply with the Aquatic Conservation Strategy, page B-11 of the Standards and Guidelines of the NWFP, as raised in our Comment Letter on page 30:

"Also, the Aquatic Conservation Strategy Objectives listed on page B-11 of the NWFP, and on pages 22-24 of the Hydrology Report, are not being met. The Hydrology Report does not provide an analysis of current conditions adequate to demonstrate that these objectives can be met through the FWT Project. In particular, Objective #4 (maintain and restore water quality), and Objectives 5-7 (maintain and restore sediment regime, in-stream flows, and floodplain/water table) have not been demonstrated to be met. Again, a full hydrologic analysis would look at maintaining water quality (WCF Water Quality Indicator not accurate, see below), sediment regime (no sediment analysis has been done that includes "timing, volume, rate and character of sediment..." NWFP p B-11), or in-stream flow analysis (no flow rate analysis was done that includes "timing, magnitude, duration, and spatial distribution of peak, high, and low flows..." NWFP, S&G p B-11). The EA must be revised to provide answers to the questions that are raised above."

We object that the FS did not address this concern, and therefore the requirements of compliance with the Aquatic Conservation Strategy are not incorporated into the Final EA, or the Hydrology Report, contrary to the requirements of the NWFP.

The FS must avoid degradation that leads to the non-attainment of ACSOs, evaluated at both the short- term, localized scale and the long-term, watershed scale. *Pac. Coast Fed'n of Fishermen's Ass'ns v. NMFS*, 265 F.3d 1028, 1037 (9th Cir. 2001)⁸. To make a finding that the logging "meets" or "does not prevent attainment" of the ACSOs, the NWFP requires the

⁸ A copy of the referenced Opinion is submitted as an attachment with this Objection Letter.

FS to explain how the proposed logging maintains or restores conditions of the watershed. See NWFP Standards and Guidelines, pages B-9, B-10 and B-12 et seq.:

‘Management actions that do not maintain the existing condition or lead to improved conditions in the long term would not "meet" the intent of the Aquatic Conservation Strategy and thus, should not be implemented.

The FS did not provide such an explanation of how the proposed logging maintains the existing condition, does not retard the condition or leads to improved conditions..

Our resolution: the FS must revise the Final EA so that the Project meets the requirements of the Aquatic Conservation Strategy under the NWFP in order to verify that this project “meets” or “does not prevent attainment” of the ACSOs.

4. The FS did not address our request on page 31 of the Comment Letter to review updated Watershed Analyses for the proposed FWT project. See our request and comment on Page 31 of the Comment Letter:

*“Watershed Analyses are intended to be used as a tool in the development of projects, in order to implement the Aquatic Conservation Strategy as required by the Northwest Forest Plan. Without a review of **updated** [emphasis added] Watershed Analyses, this project does not “use the information developed from watershed analysis,” and the Hydrology Report cannot come to the conclusion that the project satisfies the requirements of the NWFP ACS. Again, a listing of the titles of 20 to 35 year-old Watershed Analyses is not sufficient—a review of updated Watershed Analyses, with implementation of the recommendations of these analyses, must be done for this EA. The results of this review must be included in revised project documents.”*

The FS Responded to this comment in Appendix D page 111 fourth row and page 112 second row:

‘The NWFP states that a watershed analysis is required before timber harvest can occur in key watersheds, but it does not specify a timeframe for when existing watershed assessments need to be updated.’

We note the following comments on page 32 of the Comment Letter:

‘The Watershed Analyses that are listed in Table 15 of the Hydrology Report Appendix are out of date and not relevant to the current condition [emphasis added] of the Forest. Of the 23 analyses listed, 19 of them are over 25 years old, and all of them are over 19 years old. In order for these Watershed Analyses to have any

relevancy to current conditions, the information contained within them must be current.

'The NWFP requires that Watershed Analyses be updated:

*“As described elsewhere in these standards and guidelines, watershed analysis is an **ongoing, iterative process** [emphasis added]. Watershed analyses **will expand as appropriate to consider additional available information, changing conditions and potential effects associated with long-term management issues and needed actions.**” (NWFP, Standards and Guidelines, p A-7), and*

‘in Figure B-2 “Redo based on monitoring, changing conditions, social values, or process knowledge” (NWFP, S&G B-22).

‘The conditions of the watersheds within the project area have changed over the last 20-25 years. Storm events, road washouts, timber cutting activities, and sub-standard maintenance are but some of the elements that have altered the hydrologic condition of the Forest since these Watershed Analyses were developed, and they do not represent the current condition of the forest. As such, they cannot be used in their current condition as a “contextual basis” for project development.

•Watershed Analyses must be updated prior to implementation of the FWT Project.’

We object that the FS does not recognize the need to update Watershed Analyses that are between 20 and 25 years old, and therefore the information regarding watershed conditions is not incorporated into the project planning, contrary to the requirements of the NWFP which specifically contemplate that Watershed Analyses will be an *ongoing iterative process*. To further compound the failure to update the Watershed Analyses, by the time the Project is 30 years fully implemented, those Analyses may well be 50 years old.

Our Resolution: The FS must *review and update* the Watershed Analyses for all of the watersheds that are being proposed for treatment to ensure that the project elements are aligned with the ecological needs of each watershed.

Objections (under Section I of this Objection Letter) related to Section V of the Comment Letter-- Hydrologic Cumulative Effects Analysis (pages H-34 through H-144) which is Appendix H to the 1990 FEIS to the MBS LRMP

The Final EA, including Appendix D, and the Hydrology Specialist Report failed to address the timber harvest restrictions imposed by the Hydrologic Cumulative Effects Analysis

(pages H-34 through H-144) of Appendix H to the 1990 FEIS to the MBS LRMP, which we had requested in the Comment Letter, at pages 41-43.

We included a copy of the Hydrologic Cumulative Effects Analysis (said pages H-34 through H-144) with the Comment Letter, so it is not included with this Objection Letter. *For the reader's convenience, we attach to this Objection Letter pages H-1 through H-33 of Appendix H to the 1990 FEIS.* Please note that we did refer to pages H-1 through H-33 of Appendix H in Footnote #1 on page 41 of the Comment Letter, so we can discuss those pages in this Objection Letter.

Appendix D to the Final EA merely states at page 111, fourth row, that “... *the decade approach of the 1990 MBS LRMP is no longer applicable...*” However, when comparing the Hydrology Specialist Report to the Hydrologic Cumulative Effects Analysis, it is clear that as stated previously at pages 42 and 43 of the Comment Letter:

*“In addition, we note that broadly speaking, the 2025 Hydrology Report focuses on sediment issues from roads, with minor focus on Rain on Snow conditions while the Appendix H Analysis focuses on **stream channel conditions and upslope conditions, including canopy concerns**. The 2025 Hydrology Report does not replace the Appendix H Analysis, nor substitute for the Appendix H Analysis.”*
[bolding added for emphasis]

With climate changes, and extreme storms, rain on snow events, and flooding as seen here in Washington State in the Mount Baker Snoqualmie National Forest and neighboring communities both in 2020/2021 and in 2025/2026, **stream channel conditions and upslope conditions, including canopy concerns** are of paramount concern both to protect the environment and forests from threatened erosion and mass wasting, as well as to protect down-stream communities both for impacts to their drinking water and for flooding impacts to their roads, their homes and their communities.

We object that the FS did not include the findings of the Hydrologic Cumulative Effects Analysis (Appendix H to the 1990 FEIS) in its analysis for the FWT. The 2026 Hydrology Report does not include the issues that are addressed in the 1990 Hydrologic Cumulative Effects Analysis, which was researched and prepared by FS experts.

See following text from Appendix H which describes the work done by the FS to prepare the Hydrologic Cumulative Effects Analysis.

Process Used by the Forest

Refer to Attachment 1 for the References used to develop the Forest's hydrologic cumulative effects strategy.

The process used by the Forest to complete its hydrologic cumulative effects analysis consisted of two separate parts. These were: 1) Watershed Sensitivity Analysis – a preliminary analysis of the sensitivity of all watersheds and the assignment of each watershed to one of three categories of sensitivity and 2) Watershed Condition Analysis and analysis to determine the actual method or constraint to be used to meet MR's – a three step site-specific analysis of each watershed in the two most sensitive categories from the Watershed Sensitivity Analysis. The first step of this second analysis further examined the stream channel conditions and upslope conditions for each watershed. The next step was to determine, based on the above conditions and other considerations, whether the watershed was in an acceptable or unacceptable condition. The final step in the second analysis was to establish a maximum level of harvest on national forest lands that will maintain a watershed in an

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Appendix H

acceptable condition or will improve an unacceptable watershed to acceptable conditions.

Appendix H included harvest restrictions for MBS watersheds through 2030, and must be taken into consideration by the FS for the FWT.

As stated in our Comment Letter, provisions of the NWFP and the LRMP specifically provide that any stricter provisions of the LRMP, including its FEIS, including thus the Appendix H, continue to apply.

Our proposed Resolution: the Final EA must be revised to reflect the timber harvest reductions for certain watersheds and sub-watersheds that are described in the Hydrologic Cumulative Effects Analysis included in Appendix H to the 1990 FEIS.

Objections (under Section I of this Objection Letter) related to Section VI of the Comment Letter - Wild & Scenic Rivers pp 43 – 45 of the Comment Letter.

We object that neither the Final EA, Appendix B nor Appendix D addressed our concerns as made in the Comment Letter regarding Wild and Scenic Rivers, as follows:

1. Background for Management Allocation 28 for the Middle Fork Snoqualmie and Pratt Wild and Scenic River CRMP; and suggested revisions to R22 of Appendix B to the Final EA

We note, as stated on page 43 of the Comment Letter, that pages 11 through 16 of the Environmental Assessment for the Middle Fork Snoqualmie and Pratt Wild and Scenic Rivers Comprehensive River Management Plan, September 2022, (the EA CRMP) discuss the proposed addition to the MBS LRMP of Management Allocation (MA-28) for the protection of the Middle Fork Snoqualmie and Pratt Wild and Scenic Rivers.

We also discussed on page 43 of the Comment letter the Middle Fork Snoqualmie and Pratt Wild and Scenic Rivers Comprehensive River Management Plan dated as of September 2022 (the CRMP), which was contemplated in the EA CRMP. The CRMP does further include MA-28.

Furthermore, the updated specialist Recreation Report of February 2026, on page 10 states the following:

*“Although not part of the current LRMP, **Middle Fork CRMP direction currently applies** and will be incorporated into the LRMP upon revision.” [emphasis added].*

Therefore, the FWT must follow the Middle Fork CRMP direction including but not limited to the MA 28.

The proposed MA -28 limits timber harvest not only on the wild but also on both scenic and recreational river reaches. See both page 14 of the EA CRMP⁹ (as cited on page 43 of the Comment Letter), and page 25 of the CRMP (bottom of the page, Suitability of Lands, paragraph number 2)¹⁰ both of which state the following:

*“Scenic and recreational river corridors are **not suitable for scheduled timber production**; however, timber harvests, salvage and fuelwood cutting **may be utilized to achieve desired riparian conditions** consistent with the Aquatic Conservation Strategy, including wildlife habitat connectivity.” [bold emphasis added].*

Page 15 of the EA CRMP further clarifies when vegetative treatments may be appropriate in scenic river corridors:

⁹ Pursuant to 36 CFR 218.8 (b) (2), we do not attach a copy of the CRMP EA to this Objection Letter as the EA CRMP is part of *Forest Service directives and land management plans*.

¹⁰ Pursuant to 36 CFR 218.8 (b) (3), we do not attach a copy of the CRMP to this Objection Letter as the CRMP is referenced by the Forest Service in the proposed project EA (the Recreation Specialist Report) that is subject to objection

*“This change would not expressly prohibit vegetation management in Scenic sections but it would mean that any vegetative treatments would have to be done for the **purpose** of protecting and enhancing river values (free-flow, water quality, ORVs) and/or wildlife habitat.” [bold emphasis added].*

Appendix B, R22, on page 101 of the Final EA, addresses only wild designated and eligible rivers; R22 must be revised to **include the scenic river** corridors, as well as the wild river corridors, of the Middle Fork Snoqualmie and Pratt which are protected pursuant to Management Allocation MA 28 in the CRMP.

R22 as currently written reads:

R22. Wild segments of WSR river corridors are not suitable for timber production. Timber harvest will not be implemented in designated or eligible/suitable WSR corridors with the Wild classification.

Our Resolution: Specifically, please add the following sentence: “*Scenic River segments for the Middle Fork Snoqualmie River are also Not Suitable for Timber production or Harvest*” at the end of **R22** in Appendix B of the Final EA.

2. Necessity for FS to explain how thinning along Scenic and river corridors meets the requirement of protecting and enhancing river values. We had asked in the Comment Letter, at page 43, for the FS to explain in detail how any thinning activity would protect and enhance river values and/or wildlife habitat:

“The Sierra Club further urges and demands that if any thinning is contemplated within the Middle Fork Snoqualmie River Wild and Scenic River Corridor, the FWT EA must be further revised to explain in detail how any proposed “thinning activity or related development” will protect and enhance river values (free-flow, water quality, ORVs) and/or wildlife habitat.”

As noted above in Paragraph 1 of this Section on W&S Rivers, referring to the CRMP EA at page 15, any timber harvest planned for the *Middle Fork Snoqualmie River Corridor* must be “*done for the **purpose** [emphasis added] of protecting and enhancing river values*”. In other words, if there is any harvest, both the purpose and the result of the harvest must be to protect and improve river values,. That is distinct and different from any FS actions conducted specifically to improve river values, such as adding engineered log jams by way of example.

However, the FS’ response in Appendix D to the Final EA stated on page 123, top row:

“The annual implementation process will ensure that project implementation does not detract from river values but enhancement of Wild and Scenic River ORVs is outside of the scope of this project”

If the timber harvest itself causes the view shed to degrade or any river values to be adversely impacted, it has not protected and enhanced river values and instead *has reduced* those values.

If timber harvest in the corridors of wild and scenic rivers including but not limited to Middle Fork Snoqualmie and the Pratt, as addressed by the CRMP MA-28 requirements, cannot be found to protect and improve river values, the timber harvest **must not be planned or implemented**.

We object to any failure of the FWT to protect or enhance river values and/or wildlife habitat on wild and scenic rivers and corridors, both designated and eligible, including but not limited to the Middle Fork Snoqualmie and the Pratt.

Our Resolution: that the FS either provide evidence that the FWT protects or enhances river values and/or wildlife habitat on wild and scenic rivers and corridors, both designated and eligible, or that the FS not conduct thinning treatments along wild and scenic rivers and corridors, both designated and eligible.

3. We note that in the Comment Letter, bottom of page 43, we also stated the following:

“The Middle Fork Snoqualmie River Wild and Scenic River CRMP documents that nearly all of this river’s scenic reaches contain stands that originated more than 80 years ago, see Figure 8 on page 17.”

We are concerned that since Page 17, Figure 8, of the CRMP, map shows harvest history, and indicates areas where harvest was prior to 1955, and thus will include trees over 80 years of age which *must not be harvested* as protected under the MBS LRMP, and under the provisions of the FWT, there must be clear and explicit acknowledgement that those trees will not be harvested under the FWT.

Page 45 of the Comment Letter:

*The Sierra Club **urges and demands** that the FWT EA be revised to document the presence of forest stands in the Middle Fork Snoqualmie River scenic and recreational reaches that originated more than 80 years ago. See Middle Fork Snoqualmie River Wild and Scenic River CRMP Figure 8 on page 17.*

We object that the FS did not acknowledge that the CRMP map on page 17, Figure 8, shows trees over 80 years of age in the Middle Fork Snoqualmie and Pratt Scenic corridor which must not be harvested pursuant to our requests in the Comment Letter.

Our proposed Resolution: is that the FS specifically provide in the Final EA and in the Recreation Specialist Report that the Figure 8 on page 17 of the CRMP shows trees over 80 years of age, and that the FS under the FWT will not cut those trees over 80 years of age.

Objections (under Section I of this Objection Letter) related to Section VI of the Comment Letter – EA Transportation Systems pages 41, and 45 and 46 of the Comment Letter

The Sierra Club raised several issues in the Comment Letter on decommissioning of temporary roads. The FS Response to those comments is in Appendix D page 116, fifth row:

“Temporary road decommissioning will be implemented as outlined in the project design criteria, which will be incorporated into timber sale contracts.”

However, only SWF 55 and 56 of the Project Design Criteria, as shown on page 86 of Appendix B to the EA, address actual temporary road decommissioning and provide minimal detail.

‘SWF55. During temp road decommissioning activities, remove all fill material and man-made structures from stream channels. After removal, stream channel shall match upstream and downstream channel dimensions, channel roughness, bank shape, natural floodplain contours, and natural adjacent hillslope. Extent of activities may need to be adjusted where road would be used as a trail.

‘SWF56. Notify Aquatic Specialist of any changes in final specifications for stream crossing removal, outslipping and temp road-decommissioning designs. Restore eco-hydraulic function of channel, valley bottom and riparian areas.’

The noted level of detail, and lack thereof, in the Project Design Criteria referenced in the Appendix D response fails to address the following questions raised in on pages 41, and 45-46 of the Comment Letter:

‘Page 41: The EA must be revised to explicitly state that all temporary roads constructed for this project must be obliterated and decommissioned after use. This obliteration should be full and complete, and cannot just rely on road closure and gating in order to reduce the opportunity for unauthorized use and access. Per

[sic] the NWFP: “Road closures with gate or barriers do not qualify as decommissioning or a reduction in road mileage.” (NWFP Standards and Guidelines, p B-19)

*‘Page 45 The Sierra Club strongly **urges and demands** that the EA be revised to explicitly state that previously decommissioned roads will not be reopened. In addition, this project should look for opportunities to decommission additional road segments. The project should also limit reopening closed roads (ML-1).*

*‘Page 46 The Sierra Club strongly **urges and demands** that the EA be revised to require that as a part of this project building new temporary roads will be held to a minimum, all temporary roads will be decommissioned as part of this project, and all non-system roads will be decommissioned as part of this project.’*

We object to the FS’ failure to provide detail on road decommissioning as we requested which is required to meet the NWFP Standards and Guidelines, including but not limited to S&G B-19 so as to meet the Aquatic Conservation Strategies and Objectives. In regards to impacts on hydrology, the Final EA acknowledges that there is a “strong reliance on PDCs and BMPs to mitigate potential impacts” Final EA at 32. It is critical that the FS in the Final EA provide the detail to meet the NWFP Standards and Guidelines.

“An agency’s decision to forego issuing an EIS may be justified in some circumstances by the adoption of [mitigation] measures.” *Nat’l Parks & Conservation Ass’n. v. Babbitt*, 241 F.3d 722, 734 (9th Cir.2001).

The FS must be able to support its conclusions with information in the administrative record. A “perfunctory description or mere listing of mitigation measures, without supporting analytical data, is insufficient to support a finding of no significant impact.” *Nat’l Parks & Conservation Ass’n. v. Babbitt*, 241 F.3d 722, 734 (9th Cir. 2001) (internal quotations and citations omitted).

Our proposed Resolution: that the FS revise the PDCs to include the detail in our Comment requests shown above, from pages 41, 45 and 46 of the Comment Letter.

Objections (under Section I of this Objection Letter) related to Section VII of the Comment Letter -- Silvicultural issues, pp 46 -49 of the Comment Letter

1. On Page 49 of the Comment Letter, we requested the following:

*“Please revise the EA and the PIA, including without limitation the Map on page 51 of the Hydrology Report, to **eliminate cutting units on the Wilderness Boundary**, for*

consistency with previously NEPA approved EAs on FS projects, for the Snoqualmie Ranger District.”

We object that the FS did not make this requested change. Failure to make this change creates the risk that there will be cutting, or damage, or unintended treatments inside the boundaries of designated Wilderness.

Our proposed Resolution is that the FS make the requested revisions.

2. On page 48 of the Comment Letter, we discussed the following:

- Need clarity re whether or not the FWT will include entering projects that have not yet been implemented, and which might or might not have Final Decisions under NEPA; and
- Need clarity re whether or not the FWT will include having to repeat any additional thinning of previously thinned areas within the 30-year time span of the proposal?

The Comment Letter on page 48 asked that the EA be revised to:

- Describe the relationship of this FWT Project and its cutting units, to existing timber sales that have been planned on the MBS since 2010.
- Provide a list of sales and description of NEPA status and implementation status, since 2010, including NEPA completion, bids submitted, contracts awarded, and implementation/cutting; and
- Ensure that FWT PIA cutting units not be overlaid on top of existing sales units, whether they have been cut already or only planned.

We object that the FS has not answered these questions in Appendix D or otherwise made any other changes to the EA or Specialist Reports that responds to these requests for clarification as to how the FWT project relates to existing and/or prior timber sales.

Our Resolution to these objections is for the FWT documentation to be revised to answer these comments or provide an explanation as to how the FWT projects relate to prior sales on the Forest.

3. Keeping roads out of LSR if possible

We note that the forest stand age data shows that the FWT project is heavily focused on thinning in LSRs, as LSRs have the greatest area of Forest stands under 80 years. For information on forest stand age data, we refer you to the Report on “*Distribution and Recreational Harvest of Mountain Huckleberry [missing Tulalip word] in the Mt. Baker-Snoqualmie National Forest*” a Joint Study of Tulalip Tribe and USDA Forest Service Mt

Baker Snoqualmie National Forest, dated August 2015,¹¹ Part A Appendices, Appendix 3, pages A43 through A51. Referred to herein as the 'Joint Study on Mountain Huckleberry'.

Appendix 3 to the Joint Study on Mountain Huckleberry, at pages A43 through A51, includes data tables which are divided by NWFP land use allocation, and further broken out by stand age by ranger district.

. Therefore, in view of the significant LSR acreage that is subject to the FWT it is critical that the Final EA addresses the applicable management direction for LSR road construction, as specified, in the NWFP Standards and Guidelines on page C-16. See page 46 of the Comment Letter:

*"The S&G's state on page C-16 ".... If new roads are necessary to implement a practice that is otherwise in accordance with these guidelines, **they will be kept to a minimum, be routed through non-late-successional habitat [emphasis added] where possible, and be designed to minimize adverse impacts...."** [bold emphasis added]*

On page 46 of the Comment Letter, we requested the following:

*"The Sierra Club **urges and demands** that the EA sections and related specialist reports addressing Transportation be revised to reflect the explicit direction for road construction and reconstruction that is found in NWFP Standards and Guidelines (C-16) and that calls for minimizing road construction in LSRs and keeping any such roads out of late-successional habitat (stands older than 80 years)."*

NWFP Standards and Guidelines C-16, includes but is not limited to:

***"Road Construction and Maintenance - Road construction in Late-Successional Reserves for silvicultural, salvage, and other activities generally is **not recommended unless potential benefits exceed the costs of habitat impairment.** If new roads are necessary to implement a practice that is otherwise in accordance with these guidelines, they will be kept to a minimum, be routed through non-late-successional habitat where possible, and be designed to minimize adverse impacts. Alternative access methods, such as aerial logging, should be considered to provide access for activities in reserves."**[bolded and underline emphasis added]*

¹¹ We referred to the Joint Study on Mountain Huckleberry in the Comment Letter, so we are entitled to refer to it in this Objection Letter. A copy of the Joint Study on Mountain Huckleberry is submitted with the Objection Letter as an attachment.

We object that the FS did not Respond to our Comments in Appendix D or elsewhere. The FS focused in the Final EA only on road construction in Key Watersheds and Riparian areas, and was silent on the question of management for road construction or reconstruction in the balance of LSRs.

Our resolution to this objection is for the FS to revise the Final EA and other relevant specialist reports so as to document clear consistency with NWFP Standards and Guidelines on page C-16.

II. NEW CHANGES TO EXISTING DOCUMENTS (Final EA and Appendices), to which we may comment on and object to as some wording of these documents were revised *after the opportunities for comment, to which we can comment and object to pursuant to 36 CFR 218.8 (c)*.

A. Final EA (dated February 2026) -We address changes made by FS from the 2025 Draft EA.

1. Our first objection regarding treatment under the Final EA of *naturally regenerated stands*:

On page 1 of the Final EA, in the first line of Introduction: the new change added the words '*previously harvested*' and deleted the words '*harvested and replanted*'. However, deleting the phrase '*and replanted*' results in including both naturally regenerated and replanted stands in the meaning of previously harvested stands.

We object to the change to Page 1 Introduction, first line, which as revised now could include the treatment of any *naturally regenerated stands* which grew where previously harvested stands had been.

Our resolution is to add back the words '*and replanted*' on page 1 of the Final EA.

2. Our second objection regarding treatment under the Final EA of *naturally regenerated stands*:

On page 7 of the Final EA, Decision Points, the FS added new words to the Final EA to the last bullet on page 7:

'previously managed stands that developed into an even-aged, single storied condition'

instead of the original phrase in the Draft EA of:

‘Even aged stands regenerated following a harvest or other disturbance that developed as an even-aged single layered stand.’

We refer you to page 54 of the Final EA, under NO Action alternative, where the phrase ‘previously managed stands’ does include ‘*naturally regenerated*’ stands:

*“Similarly, **previously managed stands that naturally regenerated** still face stem exclusion, high stocking levels, high mortality, and fuel loading.”* [bold emphasis added]

We object to the use of the phrase ‘previously managed stands’ as added to page 7 of the Final EA

Our proposed Resolution is for the FS to expressly exclude ‘naturally regenerated stands’ from “*previously managed stands*” as used in the Decision Points on page 7.

3. On Page 9 of the Final EA, we appreciate that the FS added the word ‘activity’ in describing fuels in the last sentence of the Section titled “Post-Thinning Fuels Treatment”.

However, *please add a definition in the Final EA of ‘activity fuels’ as meaning ‘slash’.*

4. On Page 26 of the Final EA, we appreciate that the FS added to the Title of Table 12 a statement that the Riparian Buffers are on both sides of stream, for a total 600 ft wide buffer.

However, please cross reference to Table 2 (on page 9 of the Final EA) which only references the 300 ft so that Table 2 is modified by page 26 and the total 600 ft wide buffer; or alternatively, add to the Table 2 heading of the 2nd column that the buffer width applies on each side of the stream

5. Please confirm correction change to the first full paragraph on page 36 of the Final EA, immediately above the Section titled ‘Information Sources’, **that the PIA is 196,000 acres**, pursuant to email to Amy Mower from Cody Franklin, FS Environmental Coordinator for MBS, dated February 19, 2026, rather than 106,375 acres as shown on page 36 of the Final EA.

B. Appendix B To The Final EA, Project Design Criteria,

Page 84:

We Object to revision to SWF43 which now says, as revised, the following:

SWF43. Disturbance of vegetation within riparian reserves shall be limited to the minimum amount necessary for all activities

The SWF43 should retain the language about protecting and minimizing Riparian Reserves as that is a key focus of the Aquatic Conservation Strategy. See NWFP Standards and Guidelines B-12 through B-17.

Our resolution: SWF43 Should instead retain the following original language, emphasized in bold below:

*SWF43. Disturbance of vegetation shall be limited to the minimum amount necessary for all activities. **Protect and minimize Riparian Reserve impacts and proper road maintenance***

III. NEW DOCUMENT - APPENDIX D RESPONSES TO COMMENTS- which is a new document added to the Final EA *to which we may respond to and object to that arose after the opportunities for comment pursuant to 36 CFR 218.8 (c).* Previously in this Objection Letter, we have responded to several Responses included in Appendix D. In addition, we Object to the following Response not previously mentioned in this Objection Letter:

1. In response to the FS' Response found in the second row on page 109 of Appendix D, we respond that the FS does not address the need for *identification of treatment sites and detail necessary for the public and the decision maker to take a 'hard look'* at the project in order to make a reasoned decision. We refer you to our Comment Letter, Section I, pages 5 -10, Subsections A – G, as discussed earlier in this Objection Letter, Section I.

We object to that failure to provide sufficient detail for a 'hard look' at the project, as required under NEPA.

Our Resolution: The FS should retract the Final EA, and instead write an EIS for the Project, and incorporate all of the Resolutions that we have suggested in this Objection Letter. See also Section I and II of this Objection Letter, and also see Section II of the Comment Letter.

2. We note that in Appendix D, on page 123, second row, the FS uses the phrase '*primary habitat*' in the following sentence:

"No activities occur in **primary habitat** for any endangered species."

We Object to the use of the phrase 'primary habitat' as that phrase is not used in the federal rules and regulations regarding Endangered and Threatened Species.

Our Resolution is that the FS should use the following words:

'Critical Habitat, including but not limited to Designated Critical Habitat'

as provided in federal rules and regulations for many different endangered and threatened species.

IV. CONCLUSION

In summary, we believe the above concerns warrant the preparation of a draft Environmental Impact Statement that fully addresses and analyzes all objections raised above as well as the associated resolutions discussed herein. We respectfully request that the Forest Service submit a draft Environmental Impact Statement for public comment before proceeding with this project.

We appreciate the opportunity to comment on this important federal action. Please keep us informed about next steps in the planning process and do keep us on the mailing list for any follow-on actions.

Please address future communications, emails or telephone calls regarding this project to the National Forest Committee, WA Chapter of the Sierra Club, to the following:

- Don Parks at dlparks398@gmail.com and (425) 891-2025
- Amy Mower at almower@earthlink.net and (360) 305-2922
- Nete Olsen at neteolsen01@gmail.com and (206) 713-7128

Thank you for considering our Objections.

Respectfully submitted,

**SIERRA CLUB, WA State Chapter
National Forest Committee**

Don Parks, Co-Chair and member of the National Forest Committee
Amy Mower, member of the National Forest Committee
Nete Olsen, member of the National Forest Committee