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March 23, 2026

Objection Reviewing Officer
Region 6 Regional Forester
Pacific Northwest Region
USDA Forest Service
Attn: 1570/1950 Objections
1220 SW 3rd Avenue
Portland, OR 97204

Re: Objection to the Draft Decision Notice and Finding of No Significant Impact for the Forestwide Thinning Treatments Project Final Environmental Assessment on the Mt. Baker-Snoqualmie National Forest.

Forest Supervisor Uloth:

WildEarth Guardians (“Guardians”) submits the following objections to the Draft Decision Notice and Finding of No Significant Impact for the Forestwide Thinning Treatments Project (“FWT”) Final Environmental Assessment (“EA”). The project area spans the entire Mt. Baker-Snoqualmie National Forest, “one of the most visited National Forests in the country.”¹ Forest Supervisor Erin Uloth is the responsible official.

Implementation could include up to 1,200 acres of commercial thinning annually for 30 years, which is between 4-6 times the current acreage of annual logging activities.² Because of this substantial increase of proposed logging and the lack of information in the Draft EA regarding the environmental effects of the project, the Forest Service cannot issue a Finding of No Significant Impact (“FONSI”). Guardians incorporates by reference the comments previously submitted.³

¹ U.S. Forest Serv., Mt. Baker-Snoqualmie National Forest, <http://www.fs.usda.gov/r06/mbs>.

² See Hydrology Report at 32.

³ 36 C.F.R. § 218.8(b)(4).

Objection 1: The Forest Service failed to take a hard look at the environmental impacts of the FWT Project.

Guardians commented that the Draft EA did not provide sufficient details on potential impacts to fisheries, wildlife, soils and slope stability, and roads.⁴ This is due in part to the Forest Service's reliance on condition-based management ("CBM") for project implementation.⁵ The Final EA repeats these errors and fails to take the requisite "hard look" at the environmental impacts of a 30-year project logging project.⁶

Instead of analyzing the environmental impacts now, the Forest Service is relying on CBM to defer much of the analysis for the Project to the annual implementation process. This "decide now, analyze later" approach is reflected throughout the Final EA:

- Soil disturbance, soil erosion, ground cover, and slope stability "will be assessed by unit during implementation."⁷
- "Unsampled streams represent a data gap, which can be addressed as part of project implementation through both modeling and field verification."⁸
- "This document is meant to guide the localized annual implementation of the EA and provide sideboards for the implementation team and the interdisciplinary team (IDT) as they review the unit-sale area in order to make the process as focused and efficient as possible."⁹
- "Annually, in the fall, the MBS will announce a 30-day period for public review and comment on the selected thinning units and related actions. The NEPA coordinator will prepare a summary of proposed units, including maps, to share with the public, and the silviculturist will provide a brief summary of prescriptions. Comments will be reviewed by the responsible official, the IDT, and the applicable NEPA coordinator. Comments and any additional unit concerns will be reviewed, and units modified if needed by the IDT. The responsible official will make the final determination on incorporation of public comments and any needed modification of units to pass onto presale for layout and contract preparation and sign a project compliance form for the project."¹⁰
- "The public will have opportunities to provide feedback during the annual implementation process, when specific treatment sites are identified and prescriptions are developed."¹¹
- "This spatial information will be included in the annual public review package and help inform both public communication and partner coordination."¹²

⁴ See Guardians' Draft EA Comments, pp. 7-12.

⁵ *Id.* at 6-7.

⁶ *350 Mont. v. Haaland*, 50 F.4th 1254, 1265 (9th Cir. 2022).

⁷ Final EA, p. 23.

⁸ *Id.* at 29.

⁹ *Id.* at 64.

¹⁰ *Id.* at 66.

¹¹ *Id.* at 109.

¹² *Id.* at 114.

- “The annual Implementation Plan will identify specific trails and sites near project areas and select appropriate PDCs and communication strategies . . . The annual review process is intended to identify and flag any recreation infrastructure or resources that may be affected.”¹³
- “Site-specific impacts to recreation corridors and individual sites will be addressed during annual review, and appropriate PDCs will be applied.”¹⁴
- “Site-specific scenic review will take place during annual review to ensure visual quality objectives in the forest plan are met.”¹⁵

But while the public may have “opportunities to provide feedback during the annual implementation process,” that feedback will not be part of a NEPA analysis.

Rather, upon approval of the FWT Project, the annual implementation process will result in the responsible official signing a “project compliance form” that tiers to the FWT Decision Notice.¹⁶ That means if the Forest Service signs a decision notice for the FWT Project this year, it could propose 1,200 acres of thinning annually *through 2056 without any further NEPA analysis or objection opportunities*.

It would be one thing if the Forest Service had prepared a programmatic EA or EIS for this project with annual implementation subject to site-specific NEPA analysis that tiered to the programmatic analysis. But that is not what the Forest Service did. Instead, this forestwide EA just says there are approximately 106,375 acres where commercial thinning could occur over the next three decades.¹⁷ And, despite the fact that this will be the only opportunity to formally comment and object, the Forest Service provided no site-specific mapping of where thinning may occur. This is unreasonable and fails to satisfy the requirements of NEPA.¹⁸

If the Forest Service wants to proceed with the FWT Project, it should first prepare a programmatic EIS. A programmatic EIS is appropriate when there are “large-scale plans for regional development, NEPA requires both a programmatic and a site-specific EIS.”¹⁹ The FWT Project is part of a large-scale, regional plan for thinning national forests in western Washington. The programmatic nature of the FWT Project is reflected by the fact that the Forest Service is relying on two programmatic consultations with the U.S. Fish and Wildlife Service (“USFWS”) and National Marine Fisheries Service (“NMFS”) for the Western Washington Restoration and Collaboration Zone (“WWRCZ”).²⁰

¹³ *Id.* at 115.

¹⁴ *Id.*

¹⁵ *Id.* at 117.

¹⁶ See Final EA, p. 66.

¹⁷ *Id.* at 36.

¹⁸ See *All. for the Wild Rockies v. U.S. Forest Serv.*, No. 2:24-CV-157-RLP, 2025 WL 2655984 at **7-8 (E.D. Wash. Sept. 16, 2025).

¹⁹ *City of Tenakee Springs v. Block*, 778 F.2d 1402, 1407 (9th Cir. 1985).

²⁰ See Final EA, pp. 2, 118.

As the Forest Service explained in its response to comments, the FWT Project is just one of a “suite of common project actions” that were “addressed through the WWRCZ programmatic consultation.”²¹ This “suite of common project actions” should be part of a programmatic NEPA analysis, not just a programmatic ESA consultation.

Resolution: Rather than proceeding through CBM based on a single NEPA analysis/objection process that would cover 30 years of thinning, the Forest Service should prepare a programmatic EIS and site-specific implementation should be accompanied with its own NEPA analysis/objection process. Alternatively, the Forest Service should prepare an EIS that provides much more site-specific detail for the areas proposed for logging.

Objection 2: The Forest Service improperly relied on the WWRCZ consultations to satisfy its NEPA obligations.

As noted above, the Forest Service is relying on the WWRCZ consultations with USFWS and NMFS to satisfy its ESA obligations. In our previous comments, Guardians also noted that the Forest Service is relying on the WWRCZ consultations to satisfy its NEPA obligations.²² But jeopardy is distinct from an agency’s determination of whether a proposed action will have significant environmental effects under NEPA.²³

The need for a more robust analysis under NEPA is even more evident since the Forest Service has already expanded the action area that was analyzed in the WWRCZ consultations. For example, the Forest Service sought and received concurrence from USFWS to utilize that WWRCZ consultation for the North Fork Stillaguamish Project even though that project was *not* included in the programmatic consultations.²⁴ The selected alternative for the North Fork Stillaguamish Project is displayed in Figure 1.

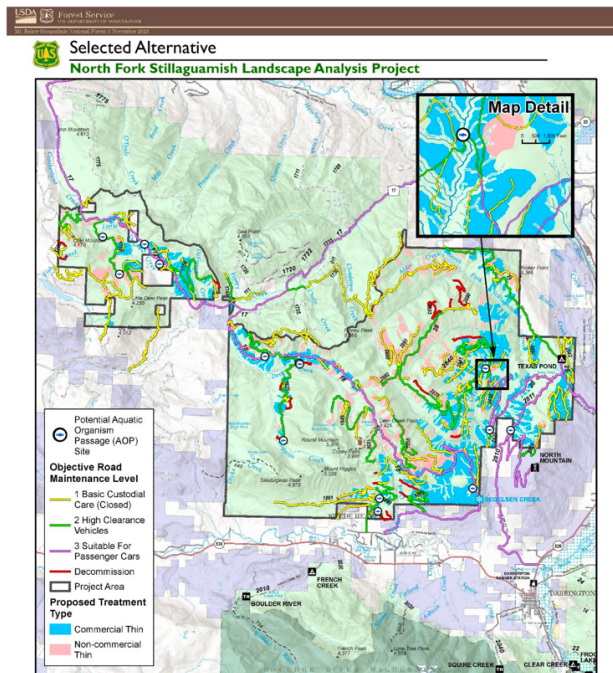
²¹ *Id.* at 118.

²² Guardians’ Draft EA Comments, pp. 8-9.

²³ *See San Luis & Delta-Mendota Water Auth. v. Jewell*, 747 F.3d 581, 649-50 (9th Cir. 2014).

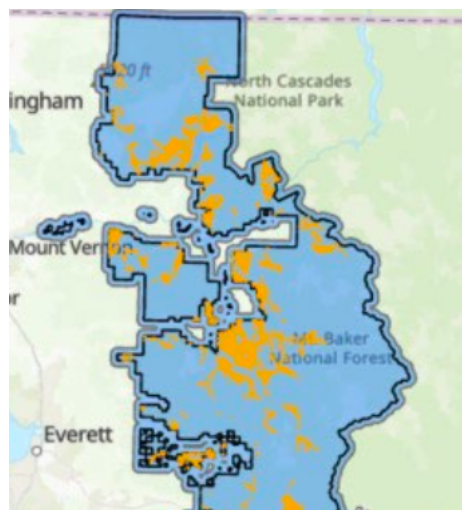
²⁴ *See* USFWS Email Concurrence for WWRCZ Coverage for the North Fork Stillaguamish Project (Apr. 9, 2025) (Ex. 1). The Forest Service’s rationale for not pursuing a site-specific consultation with USFWS for the North Fork Stillaguamish Project was “the workload of the FWS and the implementation timeline the Forest needs to keep.” *See id.* at 2.

Figure 1: Selected Alternative for the North Fork Stillaguamish Project.²⁵



As Figure 1 shows, much of the North Fork Stillaguamish Project Area is located in the southern part of the Finney Adaptive Management Area. This project area is not included in either of the biological opinions issued by USFWS (Figure 2) and NMFS (Figure 3).

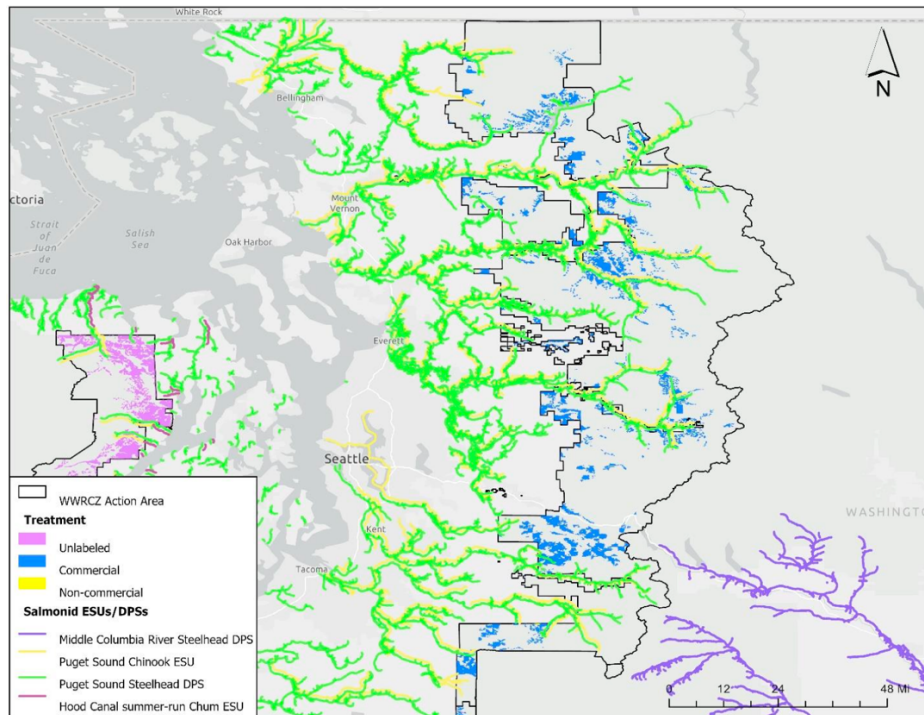
Figure 2: Terrestrial portion of the Action Area in the USFWS WWRCZ Biological Opinion.²⁶



²⁵ See North Fork Stillaguamish Project Decision Notice, p. 8. (Apr. 9, 2025) (Ex. 2).

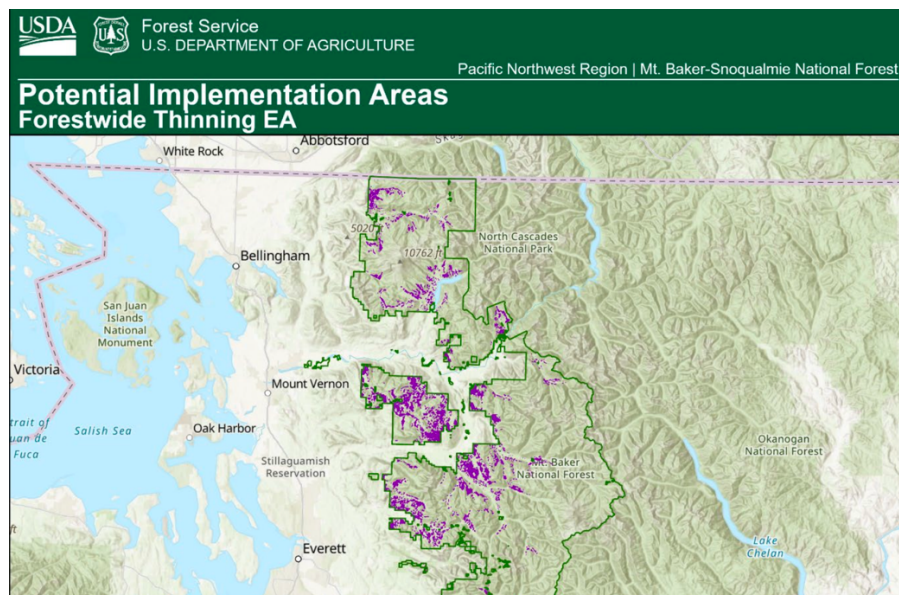
²⁶ See USFWS WWRCZ Biological Opinion, p. 106. Note that the orange polygons show forest stands proposed for commercial thinning and regeneration harvest.

Figure 3: Proposed treatments in proximity to salmonid habitat.²⁷



But when the Forest Service issued the Draft EA for the FWT Project, it included the North Fork Stillaguamish Project Area, as if it had been part of the broader programmatic consultations all along.

Figure 4: FWT EA that includes the North Fork Stillaguamish Project Area.



²⁷ See NMFS WWRCZ Biological Opinion, p. 346.

Under the WWRCZ, the Forest Service is limited to 1,200 acres of upland thinning in stands under 80 years old per year in the MBS, which is how much the Forest Service plans to cut as part of the FWT Project.²⁸ In the North Fork Stillaguamish Project, the Forest Service approved 8,842 acres of variable density commercial thinning, which the agency plans to implement over the next 15-20 years.²⁹ If the Forest Service keeps to a 15-year implementation timeline, that could be an additional 589 acres above the 1,200-acre limit in the WWRCZ consultation, an increase in nearly 50 percent. This constitutes a modification that requires the agencies to reinitiate consultation.

Resolution: The Forest Service should reinitiate consultation on the WWRCZ with USFWS and NMFS to consider an expanded action area.

Objection 3: The Forest Service should reconsider the need for road decommissioning.

Guardians raised issues related to the Forest Service's road system, including the need to decommission roads, in its earlier comments.³⁰ In response, the Forest Service said road decommissioning is "beyond the scope and does not meet the Purpose and Need of the project."³¹ We disagree.

The Forest Service has a substantive duty to address its over-sized road system.³² For years, the Forest Service has integrated road decommissioning as part of the purpose and need in vegetation management projects. Changing that policy without explanation is arbitrary and forgoes opportunities for reduce the size of the road system through this project for decades.

Resolution: The Forest Service should reconsider the need for road decommissioning and other aquatic restoration opportunities.

Conclusion

Resolution for Objection 1: Rather than proceeding through CBM based on a single NEPA analysis/objection process that would cover 30 years of thinning, the Forest Service should prepare a programmatic EIS and site-specific implementation should be accompanied with its own NEPA analysis/objection process. Alternatively, the Forest Service should prepare an EIS that provides much more site-specific detail for the areas proposed for logging.

Resolution for Objection 2: The Forest Service should reinitiate consultation on the WWRCZ with USFWS and NMFS to consider an expanded action area.

²⁸ See USFWS WWRCZ Biological Opinion, p. 36 and FWT Final EA, p. 7.

²⁹ See North Fork Stillaguamish Project Decision Notice, p. 2 and North Fork Stillaguamish Final EA, p. 11 (Ex. 3).

³⁰ Guardians' Draft EA Comments, pp. 10-12.

³¹ Final EA, p. 116.

³² See 36 C.F.R. 212.5.

Resolution for Objection 3: The Forest Service should reconsider the need for road decommissioning and other aquatic restoration opportunities.

Thank you for the opportunity to comment and for considering these objections.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Talbott", written over a horizontal line.

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