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COMMENT to the Forestwide Thinning Project #68852 - Mount Baker- Snoqualmie National Forest

Ladies and Gentlemen,

Please accept this letter as the Legacy Forest Defense Coalition's formal comment on the referenced project.

I. Introduction

LFDC submits the following comments on the Draft Environmental Assessment (EA) for the Mt. Baker-Snoqualmie National Forest Forestwide Thinning Project. Our organization works to protect forest ecosystems, climate resilience, and legacy forest structure across Washington's forest lands. We have a long-standing interest in management decisions on the Mt. Baker-Snoqualmie National Forest, particularly those with long-term implications for forest structure, wildlife habitat, and public accountability. LFDC also recognizes the importance of addressing the issue of low diversity, unnatural plantation-type forest stands that are the result of commercial operations that historically disregarded ecological outcomes in favor of monetary gains.

After reviewing the Draft EA and supporting documents, we conclude that while inclusive of several desirable and ecologically valid strategies and actions, the proposed action is fundamentally flawed in scope, duration, and analytical rigor, and that among other required changes and additions, preparation of a full Environmental Impact Statement (EIS) is required under NEPA.

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II. Project Scope/Duration Warrant EIS

The Forestwide Thinning Project authorizes up to 1,200 acres of commercial thinning per year for 30 years, applied forestwide, effectively creating a rolling, open-ended authorization for timber harvest and road construction that would quadruple timber output on the Mt. Baker Snoqualmie National Forest. This scale and duration are unprecedented for a thinning project and are inappropriate for analysis in an Environmental Assessment.

An Environmental Impact Statement is required due to the project's unprecedented scope and duration, extensive overlap with ESA-listed species habitat, substantial climate-related uncertainty, and high level of public controversy surrounding logging and legacy forest protection. No project of this magnitude has ever been implemented on the forest without a full EIS, and reliance on programmatic flexibility cannot substitute for NEPA's required analysis of long-term and cumulative effects.

ALTERNATIVE: PERFORM FULL EIS OR REDUCE SCOPE AND DURATION SUCH THAT AN EA MIGHT BE APPROPRIATE FOR DETERMINING THE SIGNIFICANCE OF ENVIRONMENTAL IMPACTS.

III. Improper Deferral of Analysis Under NEPA

Although the Forest Service characterizes the project as conceptual, it establishes a binding programmatic framework that governs future logging, road construction, and effects to ESA-listed species and habitat. As recognized in *Cottonwood Environmental Law Center v. U.S. Forest Service*, agencies may not defer meaningful environmental analysis when programmatic decisions lock in future impacts. By pre-authorizing the scale, duration, and intensity of logging for three decades while postponing site-specific and cumulative effects analysis to later implementation, the EA undermines adaptive management, eliminates meaningful site-specific review, and violates NEPA's hard-look requirement.

As it stands, the project:

? Complicates or eliminates meaningful site-specific review

? Undermines adaptive management by locking in assumptions for three decades.

? Fails to acknowledge the rapidly changing environmental factors at play or address the issue of forest fire risk.
ALTERNATIVE: AT A MINIMUM, THE FOREST SERVICE MUST BREAK THIS PROPOSAL INTO DISCRETE 5-10 YEAR PROJECTS AND SMALLER PROJECT AREAS BASED ON EXISTING RANGER DISTRICTS, EACH WITH ITS OWN ENVIRONMENTAL REVIEW, ENSURING PROPER ESA REVIEW, CUMULATIVE IMPACTS ANALYSIS AND SITE-SPECIFIC REVIEW.

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IV. Failure to Limit Treatments to Replanted Plantation Stands

The stated goal of increasing forest complexity in stands under 80 years old is repeatedly framed as targeting plantations. However, the EA does not contain binding, enforceable criteria limiting treatments to replanted second- or third-growth stands.

The discretionary language in the "Decision Points for Variable Density Thinning" (EA, p. 6) allows thinning in naturally regenerated stands that may already be developing structural complexity and future legacy characteristics. This is incompatible with the stated purpose and creates a significant risk of degrading developing mature forest conditions.

NEPA requires that the proposed action be clearly defined. Without enforceable stand-selection criteria, the environmental analysis cannot meaningfully assess impacts, and the public cannot evaluate what is actually being authorized. Additionally, no scientific justification is provided for the proposal to increase maximum harvest diameter to 26" in contravention of the 20" harvest limit in LRSs currently in the NWFP.

ALTERNATIVE: PROVIDE CLEAR DEFINITIONS, IN MEASURABLE TERMS OF "OVERSTOCKED", "STRUCTURALLY SIMPLE STANDS", "THIN FROM BELOW" AND "LACKING SPECIES DIVERSITY". PROVIDE CLEAR SCIENTIFIC JUSTIFICATION FOR INCREASE TO 26" LIMIT AND SUPPLEMENTAL DETAIL REGARDING PROPOSED ACTIONS INCLUDING IDENTIFYING SPECIFIC STANDS TO BE TREATED.

V. Fire Risk Rationale Is Scientifically and Procedurally Deficient

Unnatural fire fuel loads and the associated risk are consistently cited by the public and lawmakers as a primary concern and must be clearly incorporated into the Purpose and Need statement. Failure to do so improperly narrows the scope of alternatives and avoids scrutiny of whether the proposed logging activities meaningfully address wildfire risk.

The EA includes some analysis of fire behavior impacts but does not adequately incorporate the substantial body of modern research demonstrating that:

- ? Backcountry, commercial thinning in west-side forests does not reduce high-severity fire risk;
- ? Road construction and canopy opening can increase ignition risk and fire spread;
- ? Fire risk reduction is most effective when focused on plantations and areas near infrastructure.

If fire risk reduction is a stated justification, NEPA requires the Forest Service to meaningfully evaluate whether the proposed action actually achieves that goal. The Ninth Circuit's decision in *Bark v. United States Forest Service*, No. 19-35665 (9th Cir. 2020) demonstrates that modern 3 of 5 ecologically based approaches to wildfire management are part of a hard look at environmental impacts of federal projects.

ALTERNATIVE: PERFORM FULL EIS AND INCLUDE ROBUST ANALYSIS OF WILDFIRE RISK INCLUDING THE PROJECT'S EFFECT ON FIRE AND THE LONG-TERM RESTORATION OF A NATURAL FIRE REGIME.

VI. Implementation Deficiencies

"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." - Page 61, Draft EA

As it stands, the scale of the project makes 30 days an unreasonably short time period for adequate public review. For example, the average timber sale for MBS is around 10 million board ft (MMBF) per year, this project would add another estimated 36MMBF per year.

Taking into account the timber volume, the large geographic area, the variety of ecosystem types and plant groups, the complex planning needed for the forest treatments in question and many other factors- we conclude that a minimum 180-day comment period is warranted.

ALTERNATIVE: EXTEND ANNUAL FALL COMMENT PERIOD TO LAST NO LESS THAN 180-DAYS.

VII. No Hard Look at Net Carbon Movement/Climate Impacts

The Draft EA contains no analysis of the project's net carbon balance or climate impacts, despite authorizing up to 30 years of commercial thinning and road construction forestwide. The EA does not evaluate carbon losses from tree removal, soil disturbance, and roads. Nor does it account for foregone sequestration that would occur absent treatment or the possibility of increased carbon capture resulting from a reduction in monoculture plantation stands. This omission prevents the public and decision-makers from understanding the project's climate consequences or benefits and violates NEPA's requirement to take a hard look at reasonably foreseeable impacts, particularly for a long-term, large-scale action.

Precedent established following *WildEarth Guardians v. Zinke* 2019 demonstrates that this EA violates NEPA by authorizing substantial, long-term resource extraction while failing to analyze the reasonably foreseeable carbon and climate impacts of that action, relying instead on generalized discussion rather than a meaningful assessment of carbon movement and cumulative effects. 4 of 5

This omission is further exacerbated by the lack of clear guidelines that restrict thinning activity to overstocked, replanted stands.

ALTERNATIVE: INCLUDE A COMPREHENSIVE ANALYSIS OF THE NET CARBON IMPACTS OF THE PROJECT.

VIII. Conclusion

We support targeted restoration of degraded plantations where supported by science and public accountability. This activity has the potential to meet many important goals including reducing negative impacts of wildfire and supporting biodiversity through increasing future old growth. However, the Forestwide Thinning Project, as proposed, is too large, too long-term, and too vague to comply with NEPA and meet stated goals.

GIVEN THE OBVIOUS SIGNIFICANT EFFECTS ON THE HUMAN ENVIRONMENT ACCOMPANYING 36,000 ACRES OF LOGGING AND 180 MILES OF NEW ROADS THE FOREST SERVICE MUST:

- ? Prepare a full Environmental Impact Statement
- ? Clearly/definitively identify actual implementation areas (provide GIS files and adequate time for public review/comment)
- ? Reduce project duration to 5-10 years and reduce project size by breaking apart current area into individual projects for each ranger district
- ? Explicitly limit treatments to replanted plantation stands. Clarify exactly how stand treatment will be determined and carried out without reliance on the discretion of foresters pressured to increase timber output
- ? Limit road building by mandating no mechanical treatment in areas currently inaccessible to commercial equipment
- ? Incorporate best available fire science and climate analysis and take a hard look at the results of commercial thinning in naturally regenerated second growth, late-succession and old growth forests
- ? Extend the annual comment period occurring each fall to 180-days
- ? Analyze the long term, net carbon impacts of the project

Thank you for considering these comments.

Prepared by Andrew Shoemaker on behalf of the Legacy Forest Defense Coalition

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