



May 21, 2022

Gretchen Smith
Darrington District Ranger
Darrington Ranger District
1405 Emens Avenue North
Darrington, WA 98241

RE: Sierra Club comments on North Fork Stillaguamish Landscape Analysis (#61659); Scoping Letter dated April 22, 2022

Dear District Ranger Smith:

On behalf of the Washington Chapter of the Sierra Club, we appreciate the opportunity to submit comments to Mt Baker-Snoqualmie National Forest regarding the content of the North Fork Stillaguamish Landscape Analysis (#61659) Scoping Letter dated April 22, 2022.

The Washington State Chapter of the Sierra Club includes over 100,000 members and supporters, working to protect communities and the planet. With over 3.5 million members nationally, the Sierra Club has the largest membership of all environmental public advocacy groups in the United States. We are the oldest engaged and enduring grassroots organization in the United States.

Members of the Washington Chapter have had a long history of working to protect federal lands within the Mt Baker-Snoqualmie and Okanogan-Wenatchee National Forests dating back to the North Cascades Act of 1968. More recently, we submitted comments on RARE I and II studies during the 1970. We commented on the Mt Baker-Snoqualmie Land and Resource Management Plan Draft EIS and Final EIS of 1990. More recently, we participated in the development of the NW FP of 1994 and its subsequent implementation, including a number of subsequent timber sales prepared under its direction on this Forest.

We have reviewed the Scoping Letter and are offering comments requesting clarification on a number of issues that are described below.

Please find our detailed comments on the Scoping Letter below:

I. OVERVIEW COMMENTS:

A. General:

We strongly agree that the Forest Service, as mentioned on page 1 of the Scoping Letter, should work closely and collaboratively with Tribal co-managers to identify and support fish, plant and wildlife conservation, recovery, and enhancement efforts as needed on the landscape.

B. Overview Comment and Scoping Request:

We request that the Forest Service comply with all applicable laws, rules and regulations applicable to the proposed Project, as well as complying, as indicated on page 1 of the Scoping Letter, with the requirements of the (National Forest Management-NFMA) Act and other essential considerations of national policy.

C. Comments on Regulatory Framework of the Environmental Assessment (the “EA”).

We request that the regulatory framework section of the EA include all regulations that constrain the proposed project, including but not limited to the following:

- The Wilderness Act, Public Law 88-577
Expanded specific references to NW FP 1994, including but not limited to
 - S&G’s for the NW FP Land Use Allocations (LUA) as documented in the 1994 ROD for amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl, Standards and Guidelines (S&G).
 - In particular, include 1994 ROD and 1994 S&G sections and pages:
 - Late Successional Reserve (LSR), see S&G pages A-4 through A-7 and C-9 through C-19
 - Administratively Withdrawn areas, see S&G pages A-4 and C-29
 - Adaptive Management Areas, see S&G pages D-13, 14 and D-16, 17
 - Relationship of existing plans (i.e., Mt Baker-Snoqualmie Land Resource Management Plan) to NW FP direction, see ROD page 8 and S&G page C-2
 - S & Gs for existing Mt Baker-Snoqualmie plans from 1990, as these S&Gs apply when they are more restrictive or provide greater benefits to late-successional forests than do NW FP S&G’s (i.e. administratively withdrawn areas).
- Roadless Rule and relevant portions thereof, 36 CFR Part 294:
 - From the Roadless Area Conservation FEIS, dated November 2000, page ES-1:
“The Forest Service has the responsibility for resource use and conservation of all NFS lands. The public has expressed great interest in the conservation of roadless

areas, and in recent years, roadless area management has been a major point of conflict in the adoption of land management plans on many forests and grasslands. Given the many benefits provided by these areas and the history of controversy surrounding their management, The Agency has determined that there is a need for national rulemaking to conserve roadless areas.”

- **We request that the EA should restate the purpose of Roadless Rule**, with emphasis on the prevention activities that threaten inventoried roadless area characteristics (see Roadless Area Conservation FEIS, page 1-17) including but not limited to:
 - The construction and reconstruction of roads (see FEIS page 2-7)
 - The prohibition of timber harvest except for stewardship purposes (see FEIS page 2-7). If any timber harvest within in any IRA of the project area is intended, such action must be fully described and accompanied by the rationale for how this activity “maintains or improves roadless area characteristics.”

D. Request that EA include 2022 Policy Framework:

- 1. We request that the EA comply with the New NEPA Rule issued 4-20-22, adding back the obligation to include direct and indirect cumulative effects/impacts expected to be produced by the EA, per revised NEPA.**
- 2. We request that the EA take into consideration the Biden Administration’s executive order dated April 22,2022, “Executive Order on Strengthening the Nation’s Forests, Communities, and Local Economies” mandating an inventory of old growth trees across all Federal forests.**
- 3. We request that the EA include an analysis of the impact of the proposed cutting on the ability of the Finney AMA to achieve the carbon sequestration and biodiversity co-benefits described in the following article:**

Carbon sequestration and biodiversity co-benefits of preserving forests in the western United States - Buotte - 2020 - Ecological Applications - Wiley Online Library (funded in part by the USDA)

<https://esajournals.onlinelibrary.wiley.com/doi/10.1002/eap.2039>

E. Documents Requested to be included in the EA:

We request that the EA list and address all of the relevant documents that direct and constrain this proposed project. The following documents, including all amendments to such documents, must be included in addition to the documents listed and discussed in the Scoping Letter:

- Finney AMA Plan, dated April, 2011
- Finney AMA Research Study Plan, dated May 3, 2013
- Forest Service Pacific Northwest Research Station, Research Paper PNW-RP-567, *Learning to Manage a Complex Ecosystem: Adaptive Management and the Northwest Forest Plan*, dated August 2006
 - See Page 74 and 76 of the above Research Paper: "However, in October 2003, at the request of the Regional Interagency Executive Committee (RIEC), a staff and legal review of the ROD, S&Gs, and other pertinent documents was undertaken to determine the extent to which there was latitude for using the AMAs to meet Plan objectives. **This analysis concluded, contrary to the 2000 REO report, that there was no basis for exemptions, exceptions, or other flexibilities owing solely to the fact that an activity was proposed within an AMA...**"
- 1994 NW FP Record of Decision with all applicable Standards and Guidelines
- 1990 Mt Baker-Snoqualmie National Forest Land and Resource Management Plan

II. PROVISIONS OF THE 1994 ROD AND S&G, I.E. THE NW FP, REGARDING FINNEY AMA, RELEVANT TO SCOPING LETTER AND ANY PROPOSED CHANGES IN DESIGNATION OF LATE-SUCCESSIONAL RESERVES:

A. Requirements regarding any change to Late-Successional Reserve Designations:

Per the 1994 ROD page 8 and S&G D-11: 'however, within the Finney and Northern Coast Range AMAs, the late-successional reserve designations [emphasis added] may be changed by AMA plans'.

In addition, however, in order to maintain conformance with both the Endangered Species Act and the NFMA (the National Forest Management Act), any resulting change to AMA direction must also protect Marbled Murrelets and Northern Spotted Owls, per the 1994 S&G, page D-13 and 14:

*"Relaxation of the Late-Successional Reserve status is not necessarily assumed; proposals will require careful analysis to assure consistency with the **Endangered Species Act and National Forest Management Act requirements**, new marbled murrelet information, and overall objectives of these standards and guidelines. Sites occupied by spotted owls (pairs or territorial singles) will be protected by establishing Late-Successional Reserves using procedures to **delineate Reserved Pair Areas** described on page D-16 of these standards and guidelines." [underlining and bolding emphasis added]*

We request that the EA provide the required "...careful analysis to assure consistency..." as stated above.

Note: page 3 of the Scoping Letter, footnote 3, regarding any '*reconsideration of the LSR designation or Standards and Guidelines*'.

“The Regional Ecosystems Office (an interagency group comprised of FS/FS research, BLM, and EPA) will be consulted with throughout the development of this project”

We request that all correspondence between the organizations preparing the EA and the FS/FS research, BLM, and EPA that have been consulted with throughout the development of this project, that relates to ‘reconsiderations of LSR designations or Standards and Guidelines’ **be made available for public review** in a timely fashion and **be incorporated into the final version** of the EA.

In addition, we note specifically that neither the NW FP ROD nor the S&G applicable to AMAs provide that there would be *any reconsideration of Standards and Guidelines* for AMA late-succession reserves. **We request that either that language about “reconsideration of Standards and Guidelines” be dropped from the EA or that the Forest Service provide specific documentation as to the source of that understanding that the Forest Service can reconsider AMA late-succession reserve Standards and Guidelines.**

In addition, we request that, under Page D-7 thru D-8 S&G, the EA include copies of the Reviews by RIEC/REO of the Finney AMA Plan and Study Plan, and we ask that the 2022 Scoping Review address these requirements.

B. Proposed Changes to late-successional reserve designations in the Finney AMA:

1. **We request that the EA provide a detailed explanation** as to what aspects of the LSR direction they expect to change as part of this project in the Finney AMA.

2. **If designations of LSR are to be changed, those changes need to be also made to the Finney AMA Plan, as provided in the 1994 ROD page 8. We request that the EA specify there will be such an amendment.**

3. Any changes to LSR designations in either geographic extent or management direction must be accompanied with as formal amendment to the MBS Forest Plan. Simply burying the change within a project plan will not be sufficient to document changes of this magnitude. **We request that if there are changes to LSR designations, the EA include a provision for an amendment to the 1990 Mt Baker-Snoqualmie National Forest Land and Resource Management Plan.**

C. Overview: Management Direction:

The Scoping Letter states on Page 2, **Management Direction**, that

*“The need for action is driven by a **discrepancy** between existing conditions and desired conditions as defined by the 1990 Mt. Baker-Snoqualmie National Forest Land and*

Resource Management Plan (1990 LRMP), as amended; the 2000 North Fork Stillaguamish Watershed Analysis; and the 1996 Deer Creek Watershed Analysis; as well as the 2001 Mt. Baker-Snoqualmie National Forest Forest-Wide Late-Successional Reserve Assessment.” [emphasis added]

We request that the EA list, describe and locate all discrepancies that produce the need for this proposed action.

In addition, **we request that the EA follow page 2 of AMA Plan, Learning Themes**, or that the Forest Service amend the AMA Plan to change the purpose accordingly.

III. LAND USE ALLOCATIONS

A. **land use allocations and acreage to be cut, are discussed on pages 2 and 3, and other pages, of the Scoping Letter.**

We request clarification of Table 2 on Page 2 of the Scoping Letter, which includes a listing of **Land use allocations within the project area**:

1. Several of the “Merged Land-Use Allocations” listed in Table 2 are clearly Matrix per the NW Forest Plan direction. **We request that the EA:**

- **Include the nomenclature of matrix for those LUAs listed in the table that allow and schedule timber harvest**
- **provide a map that delineates those LUAs that allow and schedule timber harvest**

2. **We request that the EA more completely describe allowable actions in each of the LUAs listed in Table 2. We request that the EA include the following:**

- additional maps that show Stand Age and the following data:
 - LUA locations and identity for the entire project area and for the entire Finney AMA area, so that the public can better understand the management intentions.; and
 - where cutting is contemplated to occur within this project area by LUA;
 - The location of the cutting units
 - road closure opportunities that may present themselves within the project area

3. **We request that following additional information and data be provided:**

- All commercial thinning operations need to be clearly depicted on relevant maps for each affected LUA.

- All commercial thinning, by acreage, needs to be spelled out for each LUA, including LSRs, administratively withdrawn areas (ST-1 and ST-2), Matrix and MA-19.
- If thinning of any nature is contemplated for any IRA, the EA must so disclose. We expect no cutting of any kind to take place in any IRA.
- Table 3 needs additional detail so as to clearly define the acreage of each LUA that has been allocated for both, if any, commercial and non-commercial thinning.
- The Table 3 also needs to show the acreage, by LUA, that are not being treated.
- We request that the EA include a table that incorporates all **merged LUAs** shown in Table 2 listing acres, so the public can better understand the management intentions.
- Please provide the S&G's for each merged LUA.

B. Late-Successional Reserves LUA

If the Forest Service determines that LSR management S&G's conflict with AMA S&Gs for the Finney AMA, **we request that the EA must describe these conflicts in terms of the following:**

- **what changes** are proposed to be made to LSR S&G's in order to accommodate AMA direction for the Finney AMA;
- describe how these changes **contribute to ACS objectives and enhance late successional ecosystems;** and
- **which LUA's S&G's take precedence** when management direction conflicts between LSR and AMA for the Finney AMA.

LSRs are designed to serve as habitat for late-successional species. Any proposed actions not only should but must contribute to the attainment of ACS Objectives, particularly when those areas are located within a Key 1 Watershed. We note that significant parts of the Finney AMA in a Key 1 Watershed.

In addition, per Page C-22 S&G, it is required that a

Full watershed analysis will be conducted prior to new management activities in identified Key Watersheds within Adaptive Management Areas.

We request a copy of any existing watershed analysis for the Finney AMA, and if none exists, then we request that a full watershed analysis be prepared for the EA.

C. Inventoried Roadless Areas

We request that The Maps in the EA depict both IRAs so that management actions on the ground can be related IRA boundaries, and **we request the following:**

- The EA needs to define all specific actions and their locations to be taken in this restoration project that “maintain or improve roadless area characteristics” as defined in the Rule. The Responsible Official is expected to fully disclose any such activities.
- Any exceptions to the Roadless Rule must be fully disclosed.

Please add a paragraph to the EA on the Desired Conditions for Inventoried Roadless Areas. Since the IRA designation has a great influence on allowable actions on the ground, IRA should be added to this section describing desired future conditions.

We request that all Inventoried roadless areas (IRA) need to be:

- depicted on all EA maps describing the planning area;
- and
- more fully described in both the ‘special area designations’ as well as documented in the ‘desired future conditions’ of each planning area LUA.

Our comments on Page 3, Inventoried Roadless Areas are as follows:

- It is unclear the value of the statement “*Approximately 3,874 acres of IRA are located within the project area (MA 1B LSR AMA)*” since there are nearly 28,000 acres of IRA’s within the Finney Block and they overlay several LUA’s. And note that all of the IRAs are located within the AMA. **Please revised the acreage description in the EA to correctly reflect all IRA acreage both within the project area and the Finny AMA Block.**
- The direction of the Roadless Rule clearly prohibits new road construction and timber harvesting. Since the Roadless Rule overrides the direction associated with the NW FP AMA, **we request that the EA explicitly state that no cutting or road construction will take place in within in any IRA.**
- IRA boundaries should be re-evaluated as part of this project. Where they are found to be incorrect and exclude contiguous *unroaded and undeveloped land*, **we request that the IRA boundaries should then be corrected and incorporated into the Forest’s data base.**
- **We request that the EA classify the private land acquired** in Section 31 Township R8E-T33N ({}). The parcel should be inventoried as roadless since it is surrounded by IRA. And since the parcel is surrounded by LSR LUA, it should be allocated as LSR.

IV. Finney AMA ACREAGE QUESTIONS TO BE ANSWERED IN EA

The EA must precisely define the acres within the project area by LUA, rather than refer to other earlier plans that may not encompass the same geographic area. Note that:

1. pg 4 of Finney AMA Plan: **Total of 98,400 acres in Finney AMA Plan**, versus 61, 692 acres in the proposed project per page 1 of the Scoping Letter. **We request that the EA provide an answer to the following question: *where are the remaining 36,000+ acres?***

2. pages 4 and 5 of Finney AMA Plan: **85,700 acres of AMA are LSR, or approximately 87% of the AMA. We request that the EA provide an answer to the following question: *how does this LSR acreage*** relate to the answer to the question above re the actual total of the acres in the AMA?

3. We request that the EA provide an answer to the following question: how much total acreage within the project area is planned for cutting as stratified by LUA, commercial thinning, and non-commercial thinning, and stand age?

4. We request that the EA disclose, the area of Mature and Old Growth forest that is currently located both within the Finney AMA and the Project Area, taking into consideration the following information from the 2011 Finney AMA Plan, as well as the DN/FONSI for the 2013 Finney harvest and any other subsequent harvest:

- As of the 2011 AMA Plan, page 8, “Even now, with 40% of the forested area harvested since WWII, **about 50% of the current forests are over 500 years old**”. Page 8 of AMA Plan and see also Table 1 on page 9 of AMA Plan which shows 5,320 acres Mature Trees, and 50,733 acres Old Growth;
- Also, per the DN/FONSI for the Finney 2013 harvest, 1,256 acres were to be harvested, but the Decision Notice and the FONSI for Finney 2013 harvest did NOT mention either Table 1 of the AMA Plan or the text statement in the AMA Plan about 50% of the current forests are over 500 years old; and
- Notwithstanding, subtracting 1,256 acres still leaves **significant acres of Old Growth and Mature Trees which should be explicitly protected**, unless there has been an additional harvest, other than the 2013 harvest, between 2011 and 2022.

5. Issues with protecting Old Growth Forest:

Mature and Old Growth forests are a significant resource considering Climate Change and the stated need to protect late successional forest habitat. The public must have access to the latest information about the condition of these forests.

The Scoping Letter does not define ‘old growth’. See, however, Table 1 of the Finney AMA Plan, page 9, copied below, which shows significant acreage of Mature and Old Growth trees in the Finney Block, as of 2011 (date of the Finney AMA plan):

Table 1. Forest Stand Conditions (acres) *as of 2011* in the Finney Adaptive Management Area.

Seral Stage	Western Hemlock Zone	Pacific Silver Fir Zone	Mountain Hemlock Zone	Total
Early	1,780	18,926	4,696	25,402
Mid	6,282	5,790	50	12,122
Mature	2,986	2,306	28	5,320
Old Growth	4,532	29,641	16,560	50,733
Total	15,580	56,663	21,334	93,577

We request that the above Table 1 be updated and included, as updated, in the EA. Any cutting conducted since 2011 should be accounted for and incorporated into the above data table.

In addition, we request that the EA must provide more details about what and where they intend to cut as stratified by LUA. We are concerned about plans for any cutting in mature and old growth stands, particularly considering the Executive Order dated April 22, 2022.

6. Additional relevant information drawn from the 2011 Finney AMA Plan:

a) Most of LSR in the Finney AMA is designated as **a Managed Owl Conservation Recovery Area**, for 19 pairs of NSP, see pg 4 and 5 of the AMA Plan. If the Managed Owl Conservation Recovery Area (MOCRA) still exists in the Finney AMA, **we request that the EA acknowledge and provide information as to compliance of the proposed project with these requirements. If the MOCRA no longer exists, please explain why not.**

b) Since the Finney AMA is relatively close to salt water, it may be beneficial for Marbled Murrelets. See pg 5 of the Finney AMA Plan. **We request that the EA acknowledge the presence of Marbled Murrelets** and provide information as to compliance of the proposed project with required statutory protections.

c) See Page 5 of the Finney AMA Plan: “Within the non-LSR portion of the AMA, the 1990 Land and Resource Management Plan for the Mount Baker-Snoqualmie National Forest allocates approximately:

l) 956 acres to deer winter range (MA14); and

- II) two parcels of land totaling approximately **231 acres as “mature and old growth wildlife habitat”** (MA12); and
- III) The remainder of this portion of the AMA was allocated to Timber Management Emphasis (MA17).

We ask for clarification as to how much of any of the above MAs will be treated under the proposed project. Per page 10 of the Scoping Letter, regarding deer & elk winter range and timber emphasis MAs, there will be variable density thinning in those MAs. It appears as though the Forest Service would be treating the entirety of MA 14, 12 and 17.

V. 2013 STUDY PLAN:

We request that all of the actions listed below regarding the 2013 Study Plan be made part of this Project, and be addressed in the EA:

- Obtain the results of the monitoring from the 2013 Study Plan, pages 2 and 3:
 - “It is expected that multi-story canopy response to the treatments will be detectable after five years. The response to treatment of individual overstory and focus trees will probably not be evident until approximately ten years following treatment.
 - “Evaluation of the data will be done at each data monitoring interval, i.e., pre-treatment, in the year following treatment, and at five year intervals following treatment.
 - “An analysis of the response to treatment will be completed after each five year increment. The intent is to publish a report documenting the analysis and making the report available to the public”

- Page 19 of the 2013 Study Plan provides:

“The MBS intends to review the Research Study Plan periodically to evaluate the monitoring and inventory completed in the prior field season, and to make any needed adjustment for the next year’s activities.”

- The EA should disclose relevant study plans and/or results if any action was taken. The EA should also disclose if no action was taken and explain why action was not taken.
- If the Study Plan was terminated, review and provide results that were obtained.

We also request that the EA should reflect the intent of the 2013 Study Plan.

VI. SCOPING- OVERVIEW REQUESTS:

A. Mountain Hemlock Zone: MA-19

1. General

We refer to Page 3 of the Scoping Letter, Mountain Hemlock Zone: MA-19. The Scoping Letter stated that the 'study plan' for the mountain hemlock zone was not completed and current management objectives has shifted away from vegetation management for timber production in this zone. Note that this 'study plan' was developed as part of the 1990 LRMP.

- We are not opposed to the management of huckleberry areas, but we are concerned about the possibility of removals or disturbance adversely affecting areas of old growth mountain hemlock stands within MA-19.
- **We need to understand the extent of expected cutting in timbered stands to effect the enhancement of huckleberry areas. We are asking for the explicit definition in the EA of the extent of conversions of mature and old growth Mountain Hemlock stands to meet the MA-19 huckleberry objective.**
- **We request that the EA provide specific answers to the following questions about MA-19:**
 - a) Develop or include existing scientific studies in the EA that describe:**
 - the determination criteria for site suitability of huckleberry enhancement;
 - analysis of the short-term and long-term effects of specific management activities authorized by this project that include but are not limited to logging, thinning, brush clearing, treatment of slash, underburning, planting, or cultivation of huckleberry plants, planned changes in access to huckleberry areas, etc. These effects should address effects on the viability and persistence of late successional ecosystems including habitat and species; and
 - the acreage of Mountain Hemlock Area (MA-19) that is planned for cutting and/or conversion as stratified by individual areas of 'young forest,' 'mature forest,' and 'old growth forest.'
 - b) What will be the disposition of mature and old growth logs that are cut? Will these logs be left in the forest?**
 - c) Please identify locations where the Forest Service can do conversions of mountain hemlock that do not involve removing mature and old growth trees?**

- We note that the MA-19 was originally established in the 1990 LRMP because after cutting in this zone, regeneration could not be assured within 5 years as required by the NFMA regulations.
- **We request that the EA must explicitly describe how the current management objectives have changed since 1990 and how these new objectives relate to the removal and disposition of mature and old growth stands in MA-19. Table 1 of the 2011 AMA Plan lists, as of 2011, 28 acres of Mature Mountain Hemlock and 16,560 acres of Old Growth Mountain Hemlock (77% of total acreage), out of a total 21,334 acres of Mountain Hemlock.**
- **We request that the EA include an analysis that describes how this project complies with the National Forest Management Act specifically with regard to stand conversion.**
- Since the general objectives for the Finney AMA is the restoration of late-successional and riparian components of the forest, **we request that the EA must explain how huckleberry conversion would support the Finney AMA Plan and/or the ACS objectives.**

2. Programmatic versus Project Specific aspect of Proposed MA-19 Amendment:

We note the following:

i) the NF Stilly proposed MA-19 amendment is a *programmatic amendment for the entire Forest* (with 'Forest; defined on page 1 of the Scoping Letter as the Mt Baker Snoqualmie Forest) and is an amendment proposed for the 1990 Mt Baker Snoqualmie Forest Land and Resource Management Plan, see page 8 of the Scoping Letter, but

ii) the NF Nooksack proposed MA-19 amendment is *project specific* per page 5 of the revised DN/FONSI, but would also amend the 1990 Mt Baker Snoqualmie Forest Land and Resource Management Plan to exempt 99 acres from the LRMP.

- **We request an answer to the question:** Does the use of a *Programmatic Amendment* (rather than a "project specific" amendment) for this project apply to the entire Mt Baker-Snoqualmie National Forest ~~correct~~?
- If it is intentional, then **we request a detailed explanation** as to why the difference between the two Projects in the same national forest? That is, we request an explanation as to why 'remove' the provision for a Study Plan from the NF Stilly, but 'exempt' the NF Nooksack acreage?

In addition, we request that the EA specifically detail why either Broadcast burning or underburning is recommended for MA-19 (see pages 8 and 12 of the Scoping Letter), and why an Amendment is requested to permit that burning.

B. Other concerns with the Scoping Letter:

- goal is improved watershed function, see page 5 and 6 of the Scoping Letter. **We request that the EA must provide the metrics** that support the claim that these removals and conversions improve the “watershed function.”
- **We request more detail as to how the goal to improve Old Growth will be achieved by removing trees**, including existing Old Growth trees, page 6 of the Scoping Letter.
- **We request the following detail as to how the** potential to contribute to local economy: firewood, timber and forest products, will be achieved as noted on page 6:
 - **The EA must produce the metrics** of the incremental contribution this project will have on employment and personal income in the economic influence zone (EIZ) of this project.
 - At the very least, **the EA must provide estimates** of:
 - the log volumes made available to local economies of the EIZ and
 - how many jobs these volumes are expected to produce in the sectors of logging, forestry, solid wood products, and paper manufacturing, on a by economic sector basis.
 - **The EA should also numerically describe the context of these contributions** in terms of their share of the total employment and share of the total personal income currently produced in the EIZ.

C. Condition Based Management: per page 8 of the Scoping Letter, “allows decisions to be aligned *-post-decision but prior to implementation-* with current conditions on the ground.” Per page 8 of the Scoping Letter, Condition Based Management utilizes Decision Points and Mitigation and Guidelines, based on conditions at the time, and focuses on Current Conditions versus Desired Conditions.

- **We request that CBM not be utilized in the Finney Project.** Introducing a new process (CBM) that results in significant plan changes being made after the close of the NEPA process without public knowledge, participation or input is both new and unacceptable. Transparency is still required under the NEPA process and making decisions across the board after Public Comment period does not comply with intent of the decision-making process requirements.

- Any plan revisions based upon *current conditions* produced through any process, with actions would change the final plan direction, can only be made if those changes clearly move the plan in the direction of Forest Plan “desired future conditions” and comply with public transparency, involvement and participation in the gathering of the public comment process.
- **We request that the EA identify what ‘known possible activities’ described in the Scoping Letter had *additional information and scoping results, which could lead to a modified approach.***

D. Tree Diameter Restrictions:

Per page 9 of the Scoping Letter: ***“There is no tree diameter restriction in the AMA; treatment prescriptions for this planning area would be developed to address the conditions needed to support improved forest health and other ecological objectives”.***

- However, in the Finney 2013 DN/FONSI, page 7, trees over 20 inches were not to be cut; **We request that the EA explicitly describe** what has changed as to why the 20 inch DBH restriction is no longer applicable in this larger harvest per the Scoping Letter.
- **We request that the EA explicitly answer the following:** Does AMA management that allows (or would allow) cutting trees over 20” DBH **apply to stands older than 80 years?** The EA must address that nuance.
- see also the Discussion at I. A., page 4 of this Comment Letter, above regarding compliance with the requirements of ROD 1994 and S&G 1994 which do **not** give the Forest Service unlimited latitude in ‘changing the designation of the LSR’.
 - *There is virtually no discussion in the Scoping Letter of compliance with requirements of the 1994 S&G, pages D-13 and 14 (Requirements for AMA-Finney) and pages D-16 and 17 (Delineation and Management of Reserved Pair Areas – Finney).*
 - *If the Forest Service cannot freely modify compliance with the S&G (see page 4 above, top of page with quote from Forest Service Pacific Northwest Research Station, Research Paper PNW-RP-567, Learning to Manage a Complex Ecosystem: Adaptive Management and the Northwest Forest Plan, dated August 2006, then the LSR restriction to 80 years of age and 20” DBH must continue unless the Forest Service meets the full requirements of the S&G including how to modify compliance in an AMA.*

We request explicit answers in the EA to acknowledging the restrictions of the above described 1994 S&Gs, and the prior discussion on page 4 of this Comment Letter, and stating that the project will be in compliance as required.

E. Type of Cutting of trees in the Finney AMA, and the age of trees to be cut

1. page 9 of the Scoping Letter, provides that for young stands, primarily less than 80 years due to increasing biological complexity in LSR stands, the Forest Service will apply Variable Density Thinning methods to “Young stands (primarily less than 80 year old)...”.

- **We request that the EA explicitly define what is meant by “primarily less than 80 years old?”** We are extremely concerned by the use of the term ‘*primarily*.’
- **We request that the EA must explicitly address the geographic scope** of where cutting defined as not “primarily less than 80 years old” will occur in LSRs.
- It is expected that no cutting will take place in LSR stands over 80 years old. **We request that the EA describe the circumstances that justify any cutting to be planned in LSR stands other than those that are 80 years old or less?**
- **We request that no trees be cut that are older than 80 years.**
- **We request that all age calculations of trees be made at the time of harvest rather than at the time of “planning.”** Given that the project could take up to 15 years, there are trees that will ‘age out’ and should not be cut. The EA must address this critical question.

2. The scoping letter refers to “Finney AMA Variable Density Thinning with LSR emphasis” on page 9.

- **We request that the EA define what “LSR emphasis” means in terms of the 1994 S&G’s.**
 - What LSR stand ages does “LSR emphasis” apply to? It would be most disturbing if VDT is interpreted to apply to LSR stands over 80 years old.
 - If VDT required road construction into unroaded LSR stands or LSR stands within IRAs over 80 years old, that constitutes a major problem with this project, and **we request that such road construction not be authorized.**

3. On Page 9 the Scoping Letter states “Additionally, strategically placed regeneration harvests implemented by variable retention harvest, would be considered.”

- **We request that the EA must define where these “strategically placed regeneration harvests” units are located.**
- Please provide a map of “**strategically placed regeneration harvests**” areas. The EA must explain what the Agency is trying to achieve on the ground.

4. On page 9, the Scoping Letter states:

- “As noted previously, LSR designation and/or standards and guidelines for LSR may be reconsidered in the Finney Adaptive Management Plan.
- “The Forest may consider and **evaluate adjusting existing LSR boundaries to include non-LSR areas for management of old forest**, in exchange for management of LSR acres for other objectives within the Finney AMA.”

Regarding the first quote above from page 9 of the Scoping Letter, ‘reconsidering standards and guidelines for the LSR’ is not verbiage included in either the ROD 1994 or the S&G 1994.

The actual verbiage in the ROD and the S&G is, per the 1994 ROD page 8 and S&G D-11 states:

“however, within the Finney and Northern Coast Range AMAs, the late-successional reserve **designations** [emphasis added] may be changed by AMA plans”.

- **We request that the Forest Service provide, in the EA, the source and authority for reconsidering ‘standards and guidelines for LSR’.**
- **We request that the EA must:**
 - define the concept of ‘exchange’ when discussing the swapping of acres between LSR and non-LSR LUA’s. If this project eliminates some LUA’s, a Forest wide amendment would appear to be needed because as discussed it appears to be stretching the authority of a local project to revise Forest Plan level decisions;
 - Estimate the effect of such a swap on the PSQ/ASQ volume outputs;
 - define which LUAs would be added to the LSR;
 - define how would the management of these included LUA’s be different from their current direction in term of S&G’s; and
 - provide maps defining any revisions to LSR boundaries.

5. On page 10 (in discussing treatment in Timber MA-17 zone and Elk and deer MA-14 zone), the Scoping Letter states “Variable density thinning as described above for LSR emphasis would be the most common treatment, although where crowding of trees preclude the opportunity for the growth of old growth habitat, thinning in stands up to 120 years of age would also be considered.”

- **We request that the EA define and locate all LUA’s with stands up to 120 years old that are proposed to be entered for VDT.** Please provide a map of all stands up to 120 years old that would be entered for VDT.
- If this project intends to enter LSR >80 year old stands, the EA must produce the rationale for each entry within the LSR.

We challenge cutting stands older than 80 years, particularly in light of the inventory ages described in the AMA Plan, which as mentioned earlier in this Letter include significant amounts of Mature and Old Growth trees.

We understand that the R-6 Ecosystem Office requires, if cutting for ‘other purposes’ than silviculture, there must be a monitoring plan with periodic reports. ***We request that the EA include such a monitoring plan and require periodic reports as required by the R-6 Ecosystem Office.***

F. the Riparian Reserve buffers, so that Finney follows the 1994 ROD and S&G.

On page 10, the Scoping Letter states “No-cut buffers adjacent to streams would be retained to maintain shade and undisturbed soil conditions. The buffers would be designed using CBM and vary by stream type and site-specific conditions.”

- However, quoting from Page D-9 S&G:

“Riparian protection in Adaptive Management Areas should be comparable to that prescribed for other federal land areas. For example, Key Watersheds with aquatic conservation emphasis within Adaptive Management Areas **must have a full watershed analysis and initial Riparian Reserves comparable to those for Tier 1 Key Watersheds.** Riparian objectives (in terms of ecological functions) in other portions of Adaptive Management Areas should have expectations comparable to Tier 2 Key Watersheds where applicable. However, flexibility is provided to achieve these conditions, if desired, in a manner different from that prescribed for other areas and to conduct bonafide research projects within riparian zones.”

- Therefore, changing the buffers must be part of bonafide research projects. **Please document these research projects in the EA.**
- The Buffers described in Table 8 need to be revised to include, as required in the ROD, page 9 and S&G, page C-30, the full, extensive description of buffers as required. By way of example, copied from the ROD page 9 and the S&G page C-30:

*“Fish-bearing streams - Riparian Reserves consist of the stream and the area on each side of the stream extending from the edges of the active stream channel to the top of the inner gorge, or to the outer edges of the 100-year floodplain, or to the outer edges of riparian vegetation, or to a distance equal to the height of two site-potential trees, or 300 feet slope distance (600 feet total, including both sides of the stream channel), **whichever is greatest.**” [emphasis added]*

Please include in the EA the full, extensive description of buffers as required under the above identified ROD and the S&G requirements.

G. We request that any variations from the NW FP ROD and S&G's must be documented in the EA and rationale provided for these deviations as cleared by the Regional Ecosystem Office. The precise deviation must be fully described.

In addition, the EA must include all relevant correspondence concerning communication with the Regional Ecosystem Office for these variations.

H. We ask that the Forest Service answer in the EA the following suggestions from page 34 of the Finney AMA Plan (2008 Recommended Learning Themes Workshop):

"15. Effects of stand manipulations on carbon sequestration. Does this result in a net increase or decrease in sequestration rates.

"16. How is climate change affecting the various forest systems and how can the USFS best manage to adapt to climate change?"

These answers are of particular importance given the **Biden Administration's executive order dated April 22, 2022**, "Executive Order on Strengthening the Nation's Forests, Communities, and Local Economies."

I. Page 10 of the Scoping Letter provides a description of the Commercial and non-commercial thinning and associated activities as the following:

- "Commercially thin up to 7,829 acres of plantations within Finney AMA Variable Density Thinning with LSR Emphasis, **including up to 2,701 acres in riparian reserves;**
- Commercially thin up to 5,958 acres of plantations within Finney AMA Variable Density Thinning with Timber and Elk Winter Range Emphasis, **including up to 2,777 acres in riparian reserves;**
- Non-commercially thin up to 7,993 acres of plantations within Finney AMA Variable Density Thinning with LSR Emphasis, including up to **2,649 acres in riparian reserves;**
- Non-commercially thin up to 669 acres of plantations within Finney AMA Variable Density Thinning with Timber and Elk Winter Range Emphasis, **including up to 154 acres in riparian reserves."**

We request that the EA must summarize log volumes to be removed by commercial and non-commercial thinning, separately, from each LUA and by stand age. We ask for comprehensive EA data tables that cover specific geographies for specific metrics.

J. We request that decommissioning of roads should be clearly addressed in the EA, with **specificity**. Closing and effectively decommissioning roads is the surest way to decrease

sediment transfer to downstream waterways, thereby improving the aquatic health of the watershed. Additionally, removal of roads improves the connectivity of the landscape for wildlife, as undisturbed areas become more interconnected. We are supportive of maximizing opportunities to decommission roads.

K. Endangered Species: NSO and MM We request that the EA include all studies of NSO and MM populations, habitat and protections in the Finney AMA as required under the NW FP and the Endangered Species Act.

L. We request that Page 3 of the Scoping Letter expand the described focus of LSR. As presently written in the Scoping Letter, the focus is on Aquatic Conservation Strategy. **However, LSR under the NW FP and under the Finney AMA is on preserving habitat for all species, not just aquatic species.** See also page 6 of the Scoping Letter which more accurately describes the focus of LSR, i.e. under the text of “Terrestrial” in the Need discussion. Specifically, protections for the endangered species NSO and MM need to be included in the EA.

In closing, the Forest Service in the EA should take the necessary steps to implement the research requirements, restrictions and purposes of an AMA, should protect Mature and Old Growth Forest, and should protect Endangered Species and Riparian Reserves.

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.

Donald Parks
Amy Mower
Members
Sierra Club WA Chapter National Forest Committee
(425) 891-2025 (Parks)