



Washington State Chapter

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May 28, 2023

Reviewing Official
Region 6 Regional Forester
Pacific Northwest Region
USDA Forest Service
1220 SW 3rd Avenue
Portland, OR 97204

Electronic submission was made via the Comment Analysis and Response Application (CARA) via the project website (<https://www.fs.usda.gov/project/?project=61659>)

RE: North Fork Stillaguamish Landscape Analysis Project

Ladies and Gentlemen,

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

Except as stated at the end of this Objection Letter, the Sierra Club restates, and incorporates herein by reference, all of its Comments in Sections I - XXIII of its Comment Letter dated March 16, 2023 to Gretchen Smith, District Ranger, Darrington Ranger District of the Mt Baker Snoqualmie National Forest, together with the Attachment submitted with the March 16, 2023 Comment Letter¹ (referred to herein collectively as the "Comment Letter"), *as Objections to the following*:

- a) the proposed North Fork Stillaguamish Landscape Analysis Project; and
- b) the proposed Amendment to the Mt Baker-Snoqualmie National Forest Plan, which Amendment is included in the proposed project's Environmental Assessment.

Except as stated at the end of this Objection Letter, the Sierra Club disagrees with the statements and conclusions in the April 2023 Draft Notice of Decision/FONSI, the April 2023 Responses to Comments,

¹ The Attachment to the Comment Letter is a copy of Appendix H, pages 34-144, to the 1990 FEIS to the 1990 Mt. Baker-Snoqualmie Land Resource Management Plan. The Attachment was submitted directly to the Forest Service, to Melissa Shelley, by email on March 14, 2023 and receipt of the document confirmed by Ms. Shelley by email dated March 15, 2023 for appropriate distribution.

and the April 2023 Environmental Assessment, insofar as they address specific comments raised by the Sierra Club. Therefore, the Sierra Club is submitting this Objection Letter.

By way of example of the Sierra Club's objections, we point out that the Forest Service's response to Section I of the Comment Letter, (see page 44 of the Response to Comments) states that the Appendix H (see Footnote 1 above) is not applicable as the 1990 FEIS (of which Appendix H is a part) was superseded by the 1994 Northwest Forest Plan² (the "NWFP"); however, the NWFP specifically states that to the extent that existing Land Management Plans that precede the NWFP included stricter provisions, then those earlier stricter provisions apply instead of the NWFP provisions.

See the 1994 Record of Decision, part of the NWFP, page 12 as follows:

"2. Relationship Standards and Guidelines to Existing Plans. The existing land management plans contain many standards and guidelines that are not amended by this decision. Only those existing plan standards and guidelines in conflict with this decision are replaced. Where existing plans are more restrictive or provide greater benefits to late-successional forest related species than Attachment A, the existing plan standards and guidelines will continue." [bold emphasis in the last sentence added]

We refer you to extensive analysis in the Comment Letter, pages 3 – 4, to the continued applicability of Appendix H to activity under the Mt Baker Snoqualmie LRMP, by the terms of the LRMP itself.

In addition, regarding the Forest Service's response to Section 1 of the Comment Letter, the Forest Service states on page 44 of the Response to Comments that the Forest Service's Specialist Reports address the issues raised by Appendix H.

Broadly speaking, the 2023 Hydrology Report focuses on temperature concerns and sediment issues from roads and trails, while the Appendix H Analysis focuses on stream channel conditions and upslope conditions, including canopy concerns.

However, not only does the Forest Service's Hydrology Report not address all of the issues which were addressed in Appendix H (which was issued to apply to 70 watersheds in the entire Mt Baker-Snoqualmie National Forest), but on page 26 of the Forest Service's Hydrology Report, the Report discusses canopy issues for only one (1) of the two (2) Key 1 Watersheds within the Project boundaries, being the North Fork Stillaguamish watershed. The Hydrology Report on page 26 does not address canopy issues for any of the subwatersheds.

On the other hand, Appendix H, using the stream channel analysis and upslope condition analysis, addresses five (5) of the watersheds/subwatersheds which are within the project boundaries³, including Deer Creek SE, AZ 31. Deer Creek SE was the only one of the 70 watersheds covered by Appendix H that the Forest Service had determined was in such unacceptable condition that it was the only watershed for which *no harvest was permitted from 1990 – 2010, and the harvest from 2010 – 2030 was restricted*.

² The NWFP consists of the 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (the 'ROD') and the 1994 Standards and Guidelines issued in conjunction with the 1994 ROD.

³ See Schedule 1 to this Objection Letter

See page H-42 of Appendix H. The other 69 watersheds in the Mt Baker – Snoqualmie National Forest had varying levels of limited harvest constraints from 1990 – 2030.

By way of further example of the Sierra Club's objections, we refer to page 51 of the Response to Comments, regarding the Sierra Club's Comment Section V which requested that the Forest Service revise its documents to require determination of age of trees to be at time of harvest. The Forest Service states:

"It is stated in the EA that stand origin would be under 80 years of age by time of harvest, see pg. 11 and pg. 23 in the variable density thinning description in the silviculture specialist report."

However, page 11 of the Environmental Assessment (the "EA"), states: *"The stands identified for thinning are those that are less than 80 years of age"*. And, page 22 (rather than page 23) of the Silviculture Specialist Report, states: *"Stands identified for VDT are forested stands currently less than 80 years of age."*

Neither of the two documents state that stand origin would be under 80 years of age **"by time of harvest"**, quoting the Response to Comments. This is an important distinction particularly given that this project could last 15-20 years, and trees that are under 80 years of age today could age out and be over 80 years of age at actual harvest. Use of the word *'are'* and the words *'currently less than'* mean as of the present time, and do not mean *'by time of harvest'*.

The NWFP Standards & Guidelines at C-12 states: *"West of the Cascades - There is no harvest allowed in stands over 80 years old."* The EA and the Silviculture Report give age merely as of the date of the EA and the Silviculture Report, rather than the date of harvest. Unfortunately, in its Response to Comments, the FS has misstated what the actual language is in both the EA and the Silviculture Specialist Report, and has ignored the requirements of the NWFP.

We are not further reiterating our arguments and comments raised in the Comment Letter, and let the Comment Letter, as incorporated herein by reference, speak for itself as the Sierra Club's Objection.

Notwithstanding the foregoing, the Sierra Club does not incorporate and restate, except as noted below, as Objections, the following Sections of the Comment Letter which were satisfactorily addressed by the Forest Service's Response to Comments:

- Section VI confirms that there is no variable retention harvest.
- Section VIII **solely** with regard to the Forest Service's acknowledgement of a drafting error;
 - the Sierra Club, however, *restates as an Objection its Comment in Section VIII regarding the modeling issues in the Silviculture Report* (which modeling issues carry through to the EA);
- Section XV **solely** with regard to the Forest Service's addition of a short paragraph regarding monitoring.
 - The Sierra Club, however, *restates as an Objection its Comment in Section XV* as the Forest Service does not address, in either the EA or the Response to Comments, the many points raised by the Sierra Club in Section XV of the Comment Letter;

- Section XVI as the Forest Service confirmed in its Response to Comments, and modified the EA, on page 4, as follows:
 - *“No road construction or timber harvesting are proposed within any IRA or other unroaded area as part of this project.”*

For the reader’s convenience, the Sierra Club submits, via the CARA online portal on the project website, as an attachment to this Objection Letter, a copy of the March 16, 2023 Comment Letter. In addition, for a copy of Appendix H, pages 34-144 to the 1990 FEIS to the 1990 Mt. Baker-Snoqualmie Land Resource Management Plan, which was submitted as an attachment to the Comment Letter, please contact Melissa Shelley at the Forest Service, melissa.shelley@usda.gov. The Attachment to the Comment Letter of Appendix H was submitted directly to the Forest Service, to Melissa Shelley, by email on March 14, 2023 and receipt of the document confirmed by Ms. Shelley by email dated March 15, 2023 for appropriate distribution as part of the Comment Letter. As noted above in this Objection Letter, both the March 16, 2023 Comment Letter and pages 34-144 of Appendix H are incorporated herein by reference.

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, and
- Amy Mower at almower@earthlink.net and (360) 305-2922, and
- Nete Olsen at neteolsen01@gmail.com and (206) 713-7128.

Sincerely,

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

Schedule 1

List of Unacceptable Condition Watersheds in the 2023 NF Stilly/Finney AMA Landscape Analysis Project

(which are identified as Unacceptable Condition Watersheds in the Hydrologic Cumulative Effects Assessment, Appendix H to the 1990 FEIS to the 1990 MB-S LRMP):

<u>AZ (Allocation Zone)</u>	<u>Watershed</u>	<u>Timber Harvest Constraint 4th Decade (through 2030)</u>
AZ 29	Deer Creek, Northwest (includes Little Deer Cr, Day Creek and DeForest Cr)	400 acres
AZ 31	Deer Creek SE (<i>major tributary to AZ 32</i>)	262 acres
AZ 32	Deer Creek (includes Upper Deer Cr and Higgens Cr)	220 acres
AZ 34	M.R.N.F. Stillaguamish (includes Segelson and Swede Crs)	200 acres
AZ 37	Upper Reach N.F. Stillaguamish (includes: mainstem NF Stillaguamish, North, South and Middle Branches, Crevice Creek, and the headwaters of a few drainages into the Sauk River)	1,000 acres

Note, AZ 31 was the only one of 70 watersheds reviewed to be designated for *no harvest* for the first 2 decades. See page H-42 of Appendix H.