

Whidbey Environmental Action Network

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July 10, 2026

Grant Becker, Forest Practices Forester
Northwest Region
Washington State Department of Natural Resources
grant.becker@dnr.wa.gov

Re: Public comment on FPA/N No. NW-FPA-26-8637 (“Laughlin 2026”), Sections 33 and 34, T29N R03E, Island County

Dear Mr. Becker:

I write on behalf of the Whidbey Environmental Action Network (WEAN). The parcels covered by this application lie within the Quade Creek watershed, an area of steep slopes, interconnected wetlands, and non-fish perennial streams that drain toward fish-bearing Quade Creek and pass beneath French Road. We appreciate the responsiveness you have shown to community inquiries about this property over the past months, and we offer these comments in the same constructive spirit.

Requests

Based on our review of the application packet posted July 6, 2026, WEAN respectfully requests that DNR take the following actions:

1. **Determine that the application is incomplete or inaccurate as submitted**, and either return it to the applicant for correction or disapprove it. RCW 76.09.060 requires that an application contain the information the department deems necessary to review it, and RCW 76.09.050 conditions approval on an accurate application; the applicant certified at Question 29 that “[t]he information on this application/notification is true.” The inconsistencies itemized in Section A below, each verifiable from the face of the record, are incompatible with that certification standing uncorrected.
2. **Convene an interdisciplinary (ID) team review prior to any decision**, including a licensed engineering geologist or hydrogeologist, and invite participation by Island County, the Washington Department of Fish and Wildlife, the Department of Ecology, and interested tribes. In your June 9, 2026 correspondence with WEAN co-founder Marianne Edain, you identified potentially unstable slopes, stream typing questions, and potential bogs as ID team triggers; as documented below, all three are present in this record. Several neighboring landowners have indicated willingness to grant access so that landforms and waters within 200 feet of the subject property lines can be examined, and we ask that the ID team’s scope include evaluation of possible inner gorge features under WAC 222-16-050(1)(d)(i) and Board Manual Section 16.
3. **Reclassify the application from Class III to Class IV-Special**, with the SEPA review that classification requires under chapter 43.21C RCW and chapter 222-10 WAC. Reclassification is warranted on two independent grounds: (a) the application proposes timber harvest and road construction on or around potentially unstable slopes and landforms within the meaning of WAC 222-16-050(1)(d), as indicated by DNR’s own office screening (Slope Stability – High and

Moderate; SLPSTAB 40%+ and 70%+); and (b) the foreseeable risk of damage to a public resource—the culverts and road prism of French Road—described in Section C. We note your June 9 explanation that cutting within an inner gorge feature is itself a Class IV-Special trigger requiring a geotechnical report and SEPA review; whether such features exist here is precisely what the ID team, with a qualified expert, should determine before a Class III decision forecloses that review.

4. **Require a geotechnical evaluation and Appendix D Slope Stability Informational Form** before any approval, consistent with your June 9 statement that you would be “looking for a Slope Form” where operations occur around unstable slope features.
5. **Require field verification of water typing and a formal wetland delineation.** The office checklist already marks “FPF Verification Needed” for both wetland and water; we support and urge that verification, including field measurement of the specific Appendix A assertions identified in Sections A and B below.
6. **Identify in writing which portions of the ownership the applicant considers exempt** under the “1.5 times the tree length of permanent structures” statement at Question 28, require that those areas be mapped, and formally notify Island County of them. The application itself concedes that “[o]ther agency permits may be required prior to tree removal” in those areas; under Island County Code chapter 11.02, clearing in any quantity on slopes of 40% or greater, in wetlands or their buffers, or into or next to streams or their buffers requires a County clearing/grading permit, which in turn is a “development proposal” subject to the County’s Critical Areas Regulations, ICC chapter 17.02B. Neither DNR nor the County can exercise its respective jurisdiction until the exempt areas are identified on a map.

A. Inconsistencies within the application record itself

The following can be verified entirely from the face of the application and DNR’s own screening documents; we ask that each be reconciled before a decision is made:

- **Unstable slopes.** Question 10 answers “No” to the presence of potential unstable slopes or landforms, and no Appendix D is attached. Yet DNR’s Office Resource Review for this same application flags “Slope Stability – High,” “Slope Stability – Moderate,” SLPSTAB at both 40%+ and 70%+, and “Ground Based Equipment on Slopes >40%.” These positions cannot both be accurate, and the discrepancy goes to the heart of the Question 29 certification.
- **Harvest method versus slope claims.** Question 19 proposes ground-based systems (processor, shovel, rubber-tired skidder) removing 97% of volume from Unit 2, and lists the steepest slope in that unit as exactly 40%. The office review’s flag for ground-based equipment on slopes at or above 40% indicates DNR’s screening reached a different conclusion about the terrain, and the field measurements reported in Section B indicate substantially steeper gradients. If slopes exceed 40%, the proposed logging systems and the 97% removal figure cannot be reconciled with the slope claim as written.
- **Water typing.** The Application Summary lists “In or Over Typed Water – Type S” among identified resources, while the Office Checklist marks only Type Np, and the Appendix A worksheet types only two Np segments based on a single observation date (May 20, 2026). The presence or absence of Type S water is fundamental to the applicable riparian protections and must be resolved in the field. We further note that Appendix A, Question 10 describes the uppermost points of perennial flow as “[h]eadwalls and/or Upper Most Point of Flow”—an

acknowledgment, in the applicant's own worksheet, of the steep convergent landforms whose stability is at issue throughout this comment.

- **Stream buffers.** Question 26 reports 590 feet of no-harvest buffer along 680 feet of stream Np 1, and 975 feet along 1,319 feet of stream Np 2. We ask DNR to require an explanation, with reference to the applicable RMZ rules, of why portions of both Type Np streams within the harvest unit would be left unbuffered.
- **Roads.** The application proposes 2,435 feet of new construction: road W 100 at 2,350 feet across side slopes listed at up to 35%, and road W 150 at 85 feet. Question 16 provides no abandonment date for either road, and the application states no road width, no cut-and-fill design, and no plan for handling excavated material—leaving open the prospect of sidecast onto steep, wet slopes above typed waters, contrary to the road construction standards of chapter 222-24 WAC. At the same time, the Small Forest Landowner RMAP checklist states that hauling will occur on existing forest roads (0.07 miles assessed) and that those roads exhibit none of the listed sediment or drainage issues. These statements should be reconciled: either the existing roads suffice, or nearly half a mile of new permanent road is required, but the record cannot coherently assert both. Because Question 2 answers “No” to conversion to non-forestry use within three years—an answer with consequences the applicant acknowledged at Question 29, including the potential six-year bar on development permits—we ask DNR to require the applicant to confirm that a permanent road of this length and location is consistent with the stated forestry purpose, and to require a geotechnical evaluation of whether these wet, steep slopes can support the road prism and the equipment loads it would carry.
- **Acreage.** The Summary lists 36.9 harvest acres; the Office Checklist and Question 28 state 37.02 acres. The two tax parcels comprise approximately 47 acres in total. The application should account for the full ownership—including acreage attributed to the proposed roads and any areas the applicant treats as exempt from the FPA—so that the true footprint of ground disturbance can be evaluated.
- **Reforestation.** Question 20 proposes replanting exclusively with Douglas-fir. The vegetation community reported on substantial portions of the site—western red cedar, red alder, and bigleaf maple, described further in Section B—is characteristic of forested wetland, where Douglas-fir regeneration is unlikely to succeed. The reforestation plan should be revised to species suited to the site's actual hydrology, which is a further reason a wetland delineation must precede approval.
- **Cultural resources.** Question 8 answers “No” to having reviewed the activity area for historic sites or cultural resources. Local historical records indicate the site was settled and first logged in approximately 1905. We ask that DNR's standard DAHP screening and tribal notification be completed and documented before a decision, consistent with the process you described on June 9.
- **Prior and adjacent applications.** The “Previous FPA #” and “Adjacent FPA #” fields of the Office Checklist are blank, yet DNR's own records include two prior FPAs on this ground from 2004–2005 (Nos. 2807115 and 2807229) and a nearby application (No. 2819702). Our review of those records indicates the first 2004 application was rejected after DNR field review found slopes of approximately 40–45% and drainages that the application had not disclosed—a directly relevant precedent for the slope and water questions raised above, and one that should be before the decisionmaker here. Furthermore, we note that a prior FPA acknowledged hydric

soils on this ground; the current application does not. This discrepancy warrants field verification.

B. Site conditions reported to WEAN

The following are field observations reported to WEAN by adjoining and nearby landowners, including an ISA Board Certified Master Arborist, Tree Risk Assessment Qualified (TRAQ), working with the neighbors. The arborist's observations were made from adjoining parcels, with the permission of those landowners, along the shared property boundaries, looking across onto the subject parcels. A review of the 2024 Hillshade layer of the Island County Geomap supports these assertions about the topography of the area. These are offered to inform the scope of the ID team review and the field verification requested above:

- Slope gradients measured in excess of 70% in portions of the proposed harvest area, on slopes with water moving at or near the surface, with convergent valley forms consistent with headwall and inner gorge features—the same category of Rule Identified Landform addressed in WAC 222-16-050(1)(d)(i).
- A wetland complex substantially larger and more interconnected than the 2.4 acres of forested wetland reported at Question 18, crossing property lines, with hydric soils, hyporheic flow, and channelized braided streams. The proposed log landing and the proposed culvert crossing (Question 14, crossing X 1, a 24" × 30' pipe in Type Np water) are reported to lie in or immediately adjacent to wetland areas; the grade at the crossing location is not disclosed in the application.
- A professionally surveyed corner of an adjoining parcel located in the middle of a Type B wetland, and Type B wetlands observed from the adjoining parcels extending across the shared property line onto the subject parcels.
- More, and larger, stream channels than the two Np segments identified in Appendix A. These channels are visible on publicly available LiDAR. Two specific Appendix A assertions should be verified in the field: the Question 3 statement that no impoundment of 0.5 acre or greater exists upstream (neighbors report a series of hydrologically connected impoundments whose combined extent they estimate at more than 2.5 acres, which should be individually mapped and measured), and the Question 5 assertion that no stream segment reaches a two-foot average bankfull width.
- A shallow domestic well near the shared property line that is not acknowledged in the application.
- Repeated observations of Pileated woodpecker—a WDFW Priority Species—on and adjacent to the subject parcels, and of bat activity. We note the WDFW concurrence fields on the checklist are marked "N/A"; SEPA review under a IV-Special classification would provide the vehicle for evaluating this habitat.
- Marking discrepancies: neighbors report that the blue-paint leave-tree marking and the orange/blue stream-crossing marking described at Question 27 have not been observed on the ground. We ask that DNR verify the marking before relying on it.

C. Risk to a public resource

The many small drainages on this property are conveyed toward Quade Creek through culverts beneath French Road, a County road. Neighbors report that these culverts are undersized and already

stressed during storm events. Clearcut harvest and new road construction on steep, wet slopes above these crossings creates a foreseeable risk of sediment delivery, culvert blockage, and damage to the road prism and to downstream water quality. We have separately asked Island County Public Works to evaluate the capacity and condition of these culverts and to communicate its findings to DNR, and we ask that this public-resource risk be weighed in classification, consistent with WAC 222-16-050 and the purposes of chapter 76.09 RCW.

Conclusion

Given the discrepancies within the application record, the reported site conditions, and the risk to a public resource, WEAN believes this application cannot lawfully or prudently be approved as submitted. We ask that DNR return or disapprove the application; require the corrections, mapping, geotechnical evaluation, wetland delineation, and water-type verification identified above; convene an ID team including a qualified geologist; and process any corrected application as a Class IV-Special with SEPA review. We would welcome the opportunity to participate in, or provide documentation to, the ID team review, and we ask to be notified of any site visit and of DNR's decision.

Thank you for your careful attention to this application and for your continued communication with the community.

Respectfully,



Marnie Jackson
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cc: Island County Board of Commissioners; Island County Planning & Community Development; Island County Public Works; Washington Department of Fish and Wildlife; Washington Department of Ecology; Department of Archaeology and Historic Preservation; WEAN Board of Directors