



## ENVIRONMENTAL LAW & POLICY CENTER

February 15, 2024

Jenn Youngblood, Forest Supervisor  
Chequamegon Nicolet National Forest  
500 Hansen Lake Road  
Rhinelander, WI 54501  
Jennifer.K.Youngblood@usda.gov

**RE: Notification of logging violations in Sunfish timber sale of Fourmile Project and call for post-mortem study**

Dear Forest Supervisor Youngblood:

Please take prompt action to address apparent contractual violations by your logging contractor in the Sunfish timber sale of the Fourmile Project within the Chequamegon-Nicolet National Forest (CNNF). As the chief officer for the CNNF, respectfully, please use the full authority of your position to take quick action to halt apparently illegal logging in the Eagle River-Florence District, and to perform a post-mortem study of the old-growth trees felled there and logging practices.

On Friday, February 9 and Saturday February 10, I visited the Sunfish timber sale in Forest County, bordering and south of Highway 70, between Camp Nicolet Road and Divide Road. These observations were in CNNF stands 016-08 and 016-09. You will find attached numerous photos of these violations of the timber sales contract terms between the Forest Service and the logging company.

We have shared photos and satellite images with partners in the Climate Forests Coalition and co-signers to the September 19, 2023 letter urging reconsideration of Fourmile under the National Environmental Policy Act. We share a deep concern for the possibility of protecting remaining old growth and mature trees in Sunfish and in Fourmile and respectfully urge you to act. I am happy to provide any additional photos and details to assist your review. Time is of the essence, so please act swiftly to enforce the contract and protect the integrity of Chequamegon-Nicolet National Forest.

### ***Logging on soft and thawed ground***

I, and others, observed numerous ruts and tracks on the forest floor from harvesting equipment. The ground was wet and soft. Though slash was laid on the ground in some spots of the many harvester trails, there was none in many areas and ruts were left. This is in direct contradiction to the contract terms. From the prospectus for Sunfish:

“Within Payment Units 1, 2, 3, 4, 7, 8, & 9, no logging operations shall be permitted outside of Frozen Ground Conditions (usually December 1 through March 15). Frozen ground is considered to be 12 inches of compacted snow and/or 6 inches of frozen ground. No written requests to alter these conditions will be accepted. Please refer to CT6.314#, Operating Requirements, in the Sample Timber Sale Contract.”

At the time of my visit, the ground was not frozen at all. There was only a light dusting of snow cover that fell during the trip. There was much standing water on the logging roads, along with ruts in the mud left by

vehicle traffic. The satellite imagery, attached, shows logging activity while temperatures were above freezing, as shown in the temperatures displayed with satellite imagery.

Under federal law and regulations, the Forest Service has an obligation to enforce compliance with its contractual specifications. The government is entitled to strict compliance with contract terms. Furthermore, 36 CFR 223.40 provides that timber sale contracts with terms over 2 years must allow for cancellation by the Forest Service to prevent environmental damage or inconsistency with land management plans.

Prompt action is essential to address these violations before more damage is done to the forest. The Forest Service should use its authority to halt logging and cancel the contract if necessary to protect the Fourmile area from further violations. The apparent violations occurred due to actions by the logger but, also, indicate lax supervision and enforcement. Compliance with timber sale contracts is essential to balancing the sustainable use and preservation of our national forests. If these provisions are not enforced, it raises the question of which provisions would be enforced.

### **Apparent clearcut**

In addition to the loss of old growth trees and evidence of logging on soft ground, I observed an area of stand 016-8 that appeared to be a clearcut over several acres. In the environmental review this area was identified for selection cut. Photos of this area are in the attached document. This should also be reviewed.

### **Post-mortem study of Sunfish**

Further, the thousands of stacked logs cut from the forest reveal that the CNNF is logging old growth trees, based on counting growth rings and the Eastern Region definitions from the April 2023 report, *Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management*. One tree we counted, shown in the attached file, proved to be over 140 or 150 years old with a 19-inch diameter. This was of a common diameter seen in these piles, with many of even larger size.

The Sunfish logging created a vast sample of logged mature and old growth that can inform policy as the US Forest Service formulates the Nationwide Old Growth Amendment. A post-mortem study by independent researchers should evaluate the felled timber by species, size, total timber volume, carbon removed, and other factors to gain the most possible educational benefit to inform policy. It should compare logging results to the forest plan standards and guidelines for reserve trees by number, species and diameter distribution. Those independent researchers could come from the USFS Northern Research Station, Universities of Wisconsin and/or other universities or private researchers.

Finally, it was heartbreaking to see this destruction in a mature forest with old-growth characteristics, especially as it directly contradicts federal policy to conserve old growth and development. I encourage you to visit the Sunfish area as soon as possible to see the damage for yourself, firsthand. I am available to join you on such a visit. Please provide the leadership we need to stop this apparently illegal logging and study the remains of Sunfish mature and old-growth trees.

Best regards,

Andy Olsen  
Senior Policy Advocate