

September 9, 2016

Jamie Kingsbury, Forest Supervisor
Objection Reviewing Officer
Mt. Baker—Snoqualmie National Forest
Attn: 1570 Appeals and Objections
2930 Wetmore Avenue
Everett, WA 98201

Delivered via email to: objections-pnw-mtbaker-snoqualmie@fs.fed.us

**Re: North Fork Nooksack Access and Travel Management Project
Draft Decision Notice and Finding of No Significant Impact
OBJECTION FILED BY BEN BELCHER**

Dear Ms. Kingsbury:

In accordance with 36 CFR 218.8(d) and 218.5(c) I hereby submit this Objection to the North Fork Nooksack Access and Travel Management Project Draft Decision Notice and Finding of No Significant Impact (the Decision). The responsible official is Erin Uloth, District Ranger for Mt. Baker Ranger District, Mt. Baker-Snoqualmie National Forest. The North Fork Nooksack Access and Travel Management Project occurs in the Mt. Baker Ranger District of the Mt. Baker-Snoqualmie National Forest.

Objector

Ben Belcher
2025 N. Shore Dr.
Bellingham, WA
(360) 305-4844 work
(360) 739-8498 home
belcher.ben@gmail.com

My comments during the scoping process for the Environmental Assessment (EA) for the Project are included in Appendix D of the EA (p. D-50). I am part of a group of snowmobilers/skiers whose families have used Forest Service (FS) roads 3170 (Bear Paw off Canyon Creek) and 36 (Grouse Butte off Glacier Creek Road) for decades. My friends and I such as Citizens for Forest Service Roads, the Whatcom County Snowmobile Club, and the Skagit County Snowmobile Club attended meetings on this issue with the Forest Service. I submitted written comments during scoping for the Environmental Assessment. We the recreational community are committed to keeping roads 3170 and the end of 36 open for the purpose of recreational use. If this project is allowed to proceed as stated in the Decision, such recreational use would be foreclosed to the detriment of the surrounding communities, and maintenance would be deferred to the detriment of the communities, the environment, and public health and safety.

Reasons for the Objection:

In accordance with 36 CFR 218.8(d), I am providing the following description of those aspects of the proposed project to which I specifically object, how I believe the environmental analysis or draft decision specifically violate the law, regulation, or policy; suggested remedies that would resolve the objection; and supporting reasons for the reviewing officer to reconsider.

The content of this objection (comments 1 through 4) is based upon my previously submitted specific written comments regarding the proposed project that I provided during scoping and in response to the draft EA which are hereby incorporated by this reference. (EA, Appendix D, p. D-50) Comment 5 is based on an inconsistency within the Decision, an issue that arose after the opportunity for comment.

1. The Decision does not provide meaningful analysis of how volunteer maintenance can reduce Forest Service costs and help keep roads open. The Decision's stated options for preventing road failures (see Decision, p.5) explicitly include the reduction of maintenance costs to the Forest Service "through grants and volunteers", yet the value of volunteers is summarily dismissed as an option for keeping the spurs Bear Paw 3170 (3170) and the end of 36 Grouse Butte (36) open and is used as a justification for rejecting Alternative A. This is the case even though the EA contemplates a volunteer agreement to maintain roads (specifically for 36) for snowmobile use (EA, p. 137), and there are other volunteer agreements in place, such as for Lower White Salmon FSR 3075 (EA, p. 139). The Decision states: "Volunteers may provide an enormous service and reduce resource impacts and costs, but also require coordination and resources from the Forest Service, and may inadvertently incur damage on roads through well-intentioned, but misapplied, work" (see Decision, p.5). At the same time, in response to Comment 22 of the EA (EA, Appendix D, p. D-4), the Forest Service states: "The Forest Service has benefited greatly from volunteer efforts in the past number of years, and will continue to pursue and grow these relationships."¹ While the EA makes clear that not all maintenance

¹ The full response to Comment 22 of the EA (EA, Appendix D, p. D-4) is, as follows: "The Forest Service has benefited greatly from volunteer efforts in the past number of years, and will continue to pursue and grow these relationships. Volunteer work can make a substantial difference in the agency's ability to maintain roads. There are some aspects of the work that cannot be conducted by volunteers, and some road work requires agency oversight. Further, potential damage to roads done by volunteers, while unintentional, is not insured like contract work. There is therefore a risk to the agency when volunteers conduct major, machine-driven work that could cause more damage—and therefore demand more funds than those available. Therefore, while volunteers will be more of a resource for the agency in the coming years, the solution to the problem is not wholly resolved with volunteer hours." (emphasis added). See also EA responses to comments 24, 40, 66, 69, 78, 86, 95, 98, 131, 173, 178, 200, 238, 240, 281, 284, 288, 299, 300, 303, and 321.

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work can be performed by volunteers and “the problem is not wholly resolved by volunteer hours”, it’s obvious that at least some part of the problem would be resolved by volunteer hours, perhaps significantly. (EA, Appendix D, p. D-4). Even so, the analysis apparently ends there, and no consideration is given to the extent that volunteer labor could keep roads from being decommissioned. In addition, no basis is provided for the empty claim that volunteers could cause damage to roads. As the Forest Service explicitly includes the reduction of maintenance costs through actions by volunteers *as one of only three options for preventing road failures*, meaningful analysis must be given to that option as a means of determining a preferred alternative.

The Decision concedes that road failures lead to resource impacts (p.5) and that “a well-maintained road system is of benefit for both users and the resource.” (p.6). Further, “(w)hen we have a system we can afford to maintain, we can better assure reliable access and protection of forest resources.” (p.6). To that end, meaningful analysis of how volunteers can be utilized to keep costs down and the roads well-maintained (and open) rather than decommissioning them is crucial in the decision-making process.

I gave specific written comments on the proposed project that relate to this objection point, stating that road maintenance can be coordinated and allocated to volunteers.

2. The Decision fails to meaningfully analyze how volunteers can be utilized for rapid response and to perform emergency maintenance during storm events, which could prevent significant failures and further reduce Forest Service costs. In its “Reasons for Not Selecting Other Alternatives” and as justification for not selecting Alternative A which would keep 3170 and the end of 36 open (Decision, p.8), the Decision states: “many roads close themselves each year after fall and winter storm events” and “(w)hen that happens, we are often unable to determine the full extent of the damage...” “...it prohibits us from being able to effectively steward the land and protect the resources.” (See Decision, p.8). These statements further discount the impacts that volunteers can have on road closures and completely ignore the fact that volunteers have been a huge asset in maintaining and preventing major road failures. As stated by Belcher during the comment period, volunteer maintenance can reduce contracted road maintenance costs and contribute to prevention of failures. Volunteers living in the area can usually be on the job much more quickly than government employees.

I gave specific written comments on the proposed project that relate to this objection point, stating the need to allow for rapid response from volunteers to storm events and other issues to prevent road failures.

With regard to comments 1 and 2, above, many of the major road failures occur due to a failure to perform routine maintenance such as keeping culverts and ditches free of debris (activated) and also because of failure to rapidly respond to issues wherein there is lack of flow. Both of these issues can be remedied by volunteer work. The decision fails to include thorough reasoning and details on why volunteers can't perform this work. Federal funding should not be allocated to maintenance work such as cleaning debris from culverts and ditches; this level of maintenance can be coordinated and allocated to volunteers, dramatically reducing Forest Service costs.

I gave specific written comments on the proposed project that relate to this objection point, stating that the Forest Service can rely on volunteers to do "easy" volunteer-level maintenance work.

3. The Decision does not adequately analyze alternative sources of funding. While it includes "grants" as a method of reducing maintenance costs to the Forest Service and thereby preventing road failures (p.5), there is little to no analysis as to what grants may be available and the difficulty of obtaining them.² Again, as there are only three stated options for preventing road failures, it seems critical that each option get equal analysis. Much like the option of using volunteers to reduce costs, the option of obtaining grants is summarily dismissed, and there seems to be no emphasis placed on seeking alternative sources of funding. The Decision's focus is inordinately focused on the closure and decommissioning of roads (thereby eliminating the need for funding), rather than finding options for alternative funding that would keep more roads open (this, despite the Forest Service's concession that it's better for access and forest resources to keep the roads open). Options for alternative funding could include grants; federal funding; Homeland Security funding; fees for road use; and fundraisers/donations.

I gave specific written comments on the proposed project that relate to this objection point, stating the need to explore options for additional funding sources.

4. Alternative A is the best option, because no additional roads will be closed. As stated above, the Decision concedes in several places that open roads are better for both access and the environment. The main basis for closures seems wholly based on a lack of funding, which could be aided by use of volunteers and a meaningful effort to obtain

² It appears there is no discussion of grant funding in the EA, although there are comments urging the Forest Service to explore this option. See e.g. EA, Appendix D, Comment 200, p. D-32. Instead of responding, the EA points the commenter to the response to Comment 22 (p. D-4), which doesn't include any discussion about funding sources.

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alternative funding sources. The stated bases for the closures do not take these important options into consideration, thereby dismissing their significant value to the process in favor of simply closing and decommissioning roads, which by the Forest Service's own account is not the best option.

I gave specific written comments on the proposed project that relate to this objection point, stating the need to explore options for additional funding sources.

5. There is an inconsistency in the Decision. On p. 1 of the Decision, in the second bullet point, it states: "Major spur roads that lead to important access points will remain open (e.g., 3040, 3060, 3170, 3140), some with seasonal closures. Yet, on p. 4, the map shows 3170 as "Basic Custodial Care (CLOSED)." It is also our understanding from discussions with the Responsible Official that she intends to close 3170. Obviously, the statement on p. 1 is inconsistent with the map.

Resolution Requested:

I request that the Objection Reviewing Officer include the following remedies/alternatives in an updated Decision and/or clarify in supporting documentation.

1. I request that the Forest Service provide meaningful analysis of how volunteer maintenance can reduce Forest Service costs and help keep roads open.
2. I request that the Forest Service meaningfully analyze how volunteers can be utilized for rapid response and to perform emergency maintenance during storm events, which could prevent significant failures and further reduce Forest Service costs.
3. I request that the Forest Service adequately analyze alternative sources of funding for road maintenance that would obviate the need to decommission roads.
4. I request the selection of Alternative A as the best option, because no additional roads will be closed.
5. I request that the inconsistency in the Decision be remedied.
6. If the Objection Reviewing Officer determines that the selection of Alternative A is not a viable option after analysis of the above objections, I request that the Objection Reviewing Officer switch Bear Paw 3170 and the end of 36 Grouse Butte from the draft proposed states of "closed" and "decommissioned", respectively, to "high clearance". These roads provide access to areas that are major draws for outdoor enthusiasts who bring revenue to local businesses. This

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is critical to “help maintain the stability of local and regional economies.” (NWFP Final Environmental Impact Statement, p.S-4)

7. Rather than closing 3170 or the end of 36, I request switching some of the following roads which are shown as open to closed or decommissioned to assist in the goal of reducing road maintenance costs:
 - a. End of 38 Middle Fork Nooksack
 - b. 3140 Bald Mt. and 3124 W Church Mtn off of Canyon Creek
 - c. 3071 Anderson Creek Rd.
 - d. 3620 and 3630 off of Glacier Creek
 - e. 3010035

Request for Resolution Meeting

Pursuant to 36 CFR 218.11, I request a meeting to discuss the issues raised in the objection and potential resolution. In the likely event that there are multiple objectors to the Decision, for the sake of efficiency, I respectfully request that the meeting be held as soon as possible with all objectors present. I believe that in order for the meeting to facilitate the most beneficial dialogue possible, the meeting should be face-to-face in a location that is mutually accessible to all objectors. I request to participate to the maximum extent practicable, and specifically request that I be allowed to comment on points made by other objectors in the course of the objection resolution meeting.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ben Belcher". The signature is written in a cursive, slightly stylized font.

Ben Belcher