



**Nooksack Indian Tribe
Natural Resources Department**

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September 9, 2016

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

Re: Objection to North Fork Nooksack Access and Travel Management Project

Dear Ms. Kingsbury,

Thank you for the opportunity to provide further comments on the Environmental Assessment for the North Fork Nooksack Access and Travel Management Project. We appreciate working closely with the Forest on a range of habitat restoration, resource protection, fisheries management and cultural resource issues. As a sovereign nation with a long history of use of the forest lands affected by this project, we have a strong interest in seeing a successful access plan developed for the North and Middle forks that reduces the impacts of forest roads on Treaty resources while maintaining access for tribal members. We offer this "friendly" objection letter, because we believe that the district has done a commendable job balancing the needs of diverse interests in the North Fork Nooksack Access and Travel Management Plan and would like to support the Forest during the objective resolution process to ensure that the key provisions in the plan are retained.

Maintaining road access for cultural practices and hunting is a primary concern for the Nooksack Tribe. Loss of access due to road closures, wash-out and gates substantially limits the opportunities for tribal members to exercise their Treaty rights. We also understand that the forest has been under-funded for basic road maintenance for decades, leaving a legacy of poorly maintained roads that are currently impacting Treaty resources. We strongly feel that these challenges will need to be met to minimize the Forest's impact on water quality and fisheries resources, while providing for cultural and public access. Tribal members carrying out cultural activities, such as hunting and gathering, have adapted to using these roads to reach the resources just as modern society has adapted to the usage of roads in general. After the signing of the Point Elliot Treaty, Tribal access to open and unclaimed lands has become more restricted, limiting the ability to obtain the cultural resources as guaranteed.

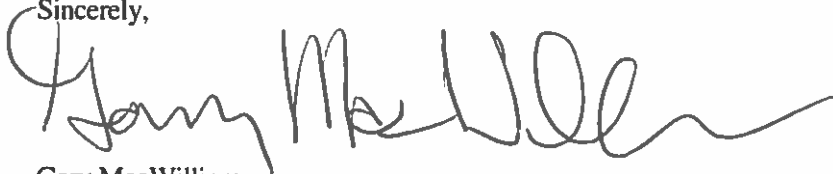
We see the proposed plan as an important step toward reducing the impact of forest roads on water quality and habitat in the Nooksack Watershed. We support allowing periodic closures to focus the limited maintenance budget, while allowing tribal members access to some of these closed areas to exercise their Treaty Rights. Ultimately, we do not see the ATM as a final plan, but as an interim step and we expect the Forest to expand this work to bring all of their forest roads up to a standard that protects water quality and habitat, while providing reliable access.

In addition to the concerns that we conveyed in our previous correspondence during project scoping and alternatives review, we have the following specific comments on the draft decision:

- We agree that the exercise of treaty rights and access is a trust responsibility of the Forest Service and should be considered in the access plan. We agree that providing tribal access to periodically closed road systems will help tribal members exercise their Treaty Rights.
- We support the concept of periodic road closures to help minimize the maintenance expense to the forest, while providing access to forest users. We anticipate that this will only be an interim measure until the forest is able to bring their road system in line with their maintenance budget.
- We support an adaptive management approach to road management that will provide the Forest flexibility to most effectively bring their road system up to a standard that will not lead to further water quality or habitat impacts.

We look forward to working closely with the Forest on implementing the proposed plan and appreciate the opportunity to stay involved in this important planning effort as you consider any objections to the draft NF Nooksack ATM Decision.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary MacWilliams", with a long, sweeping horizontal line extending to the right.

Gary MacWilliams
Director Nooksack Natural Resources Department