

NOTICE OF OBJECTION PURSUANT TO 36 CFR 218

Objection Reviewing Officer
USDA Forest Service, Northern Region
26 Fort Missoula Road
Missoula, MT 59804

OBJECTIONS TO:

Crystal Cedar Draft Decision Notice and Finding of No Significant Impact
Chip Weber, Flathead Forest Supervisor, November 13, 2019

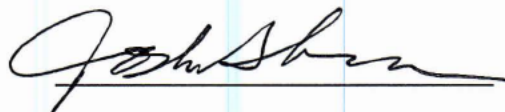
OBJECTORS:

Sarah Jones, Lead Objector

[REDACTED]
[REDACTED]
[REDACTED]
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Josh Gleason, Objector

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



December 28, 2019

On December 15, 2017, we submitted comments on Proposed Action scoping and on July 3, 2019, we submitted comments on the Crystal Cedar Environmental Assessment. A copy of our comments is attached for your reference.

SUMMARY OF OBJECTION

Your Response to Comments published in your Draft Decision Notice and Finding of No Significant Impact fails to address our hydrology concerns and continues to leave us highly vulnerable to the destruction of our sole source of clean drinking water and our associated water rights. Building a temporary road over our source of drinking water risks enumerable damages the Forest Service fails to properly protect.

Even worse, the Forest Service dismisses the roadbuilding as a hydrology problem by saying this particular area where proposed road "E" intersects with proposed trail 10 isn't a problem because it *"does not directly cross a stream or wetland of any type"* (Appendix B, Response to Comments, page 58). This statement clearly demonstrates your complete lack of understanding of this specific area and shows your contempt to properly address the threat. The wetland/ fen located 25 yards directly north of your proposed "E" road intersection with trail 10 is, indeed, the source of our water!

Nowhere in your EA nor Draft Decision documents do you offer any reasonable range of alternatives that could avert said destruction to our water and avoid costly litigation. Proposed Action and No Action is not a reasonable range of alternatives required under NEPA and we object under this pretense.

OBJECTION:

Your site soil analysis of areas 54 and 109 with respect to building logging road "E" directly on top of the source of our clean water is completely inadequate and demands a safe alternative.

In your *Comment and Response, Draft Decision Notice and Finding of No Significant Impact, Appendix B, pages 63-64*, you conclude that the soil is already "100 percent detrimentally disturbed" so building a road on top of the old road template would not disturb the underground network of water nor contribute to the further compaction of soils in this specific area. But running heavy equipment over this soil to build a new logging road will indeed disrupt and alter the existing soil and cause the destruction of our underground water source.

On *page 46 of Appendix A/ Details of the Selected Alternative/ Soils item 33*, you omnipotently claim that using rubber-tired machines in winter will "minimize potential detrimental soil disturbance." This too is nonsense. Your statement acknowledges that damages will occur. The soils and underground water will be destroyed by the weight of heavy machinery, not rubber tires. Even "minimal" destruction to our water source is completely unacceptable. And what's more, this statement only addresses logging in winter, not building a road in summer. Certainly, a road must be built on dirt, not snow. You offer absolutely no assurance nor proof that roadbuilding during summer won't be destructive to our water source. This is totally unacceptable.

You justify any damage you do to this soil would be magically restored to healthy soil productivity and hydrology at the conclusion of your restoration efforts (*see pages 58-59 of Appendix B/ Response to Comments*), but this is not logical nor reasonable. The natural flow of underground water that directly feeds our spring is not at all disturbed today. Your road-building machinery and later, your logging equipment will cause destructive soil compaction and permanent damage to this network of underground water and must not occur.

REMEDY(S) Reasonable Range of Alternatives to Include:

- 1) Prepare an Environmental Impact Statement for a thorough analysis of areas 54 and 109 with respect to roadbuilding over this water source and our sole source of clean drinking water.
- 2) Use common sense. Avoid destroying this critical water source. Protect our water rights. Avoid costly litigation. Do not build temporary logging road "E" connecting areas 54 and 109. You will be held accountable for your actions when damages occur.

CONCLUSION

The Forest Service has not offered a reasonable range of alternatives that could effectively eliminate the destruction of our water source and protect our water rights and of those downstream of our property while achieving their goal of board feet, wildfire management and recreation for special interest groups. A complete lack of reasonable alternatives demonstrates the Forest Service's contempt for NEPA and outright neglect to protect water quality and quantity despite that being central to their mission. We demand the Forest Service take a hard look at these additional alternatives before damaging a resource they can't fix. The Forest Service will be held accountable for their actions.