



Kittitas County, Washington
BOARD OF COUNTY COMMISSIONERS

District One
Vacant

District Two
Laura Osiadacz

District Three
Brett Wachsmith

August 25, 2026

Patricia Garvey Darda
c/o Okanogan-Wenatchee National Forest
215 Melody Lane
Wenatchee, Washington 98801

David Farmer, Acting Forest Supervisor
c/o Okanogan-Wenatchee National Forest
215 Melody Lane
Wenatchee, WA 98801

Re: I-90 Snoqualmie Pass East – Public Safety/Wildlife Closure, Project No. 349472
Comments on Draft Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice

Dear Ms. Garvey-Darda and Mr. Farmer:

Kittitas County submits these comments on the Draft Environmental Assessment (Draft EA), Draft Finding of No Significant Impact (Draft FONSI), and Draft Decision Notice for I-90 Snoqualmie Pass East Public Safety/Wildlife Closure, Project No. 349472.

The County supports the objectives of protecting public safety, maintaining wildlife connectivity across I-90, and ensuring the effectiveness of the substantial public investment in wildlife crossing structures. These comments focus on the adequacy and clarity of the proposed action, the public notice and participation process, public availability of document relied upon in the environmental review, the rationale for a permanent rather than a time limited closure, and the scope and impacts of the closure at Keechelus Lake.

1. The public notice and Draft EA described materially different actions

The July 29, 2026, Notice of Opportunity to Comment states that areas adjacent to eight miles of I-90 have been subject to short term emergency closures since 2019 and that the Okanogan-Wenatchee National Forest proposes to “extend the temporary closure for 5 years” and add areas adjacent to another seven miles of I-90.

In contrast, the Draft EA states that the Forest Service proposes to implement a permanent Public Safety/Wildlife Closure on National Forest land and adjacent to the I-90 Snoqualmie Pass East crossing structures. The Draft FONSI likewise states that the closure is permanent. The Draft EA identifies a closure area of approximately 4,888 acres.

The difference between a five-year temporary closure and a permanent closure is substantive. A member of the public may support a temporary, monitored closure while opposing an indefinite restriction on public access. Conversely, a person reading the notice could reasonably conclude that a permanent closure is not under consideration and elect not to comment.

Under 36 CFR § 218.24(b)(1), the legal notice must include the title and a brief description of the proposed project or activity. In addition, commenters must provide specific written comments during the designated comment period to preserve eligibility to participate in the subsequent objection process. See 36 CFR § 218.25(a)(3).

The Forest Service should therefore clarify which action is proposed and ensure that the public notice, Draft EA, Draft FONSI, and Decision Notice consistently describe the same action.

If the proposed action is a permanent closure, the County requests the Forest Service provide a properly noticed opportunity to comment specifically on that action. The County recognizes that the 30-day comments period for an EA generally may not be extended under 36 CFR § 218.25(a)(1)(iv). However, if the current notice materially misdescribed the action, the Forest Service should determine the appropriate procedural mechanism to provide meaningful notice and an opportunity to comment on the action actually proposed.

2. Documents incorporated by reference or relied upon in the Draft EA must be publicly accessible.

The Draft EA states that it ties to the I-90 Snoqualmie Pass East Final Environmental Impact Statement (FEIS) and incorporates that FEIS and Record of Decision (ROD) by reference. It also relies upon or refers readers to other supporting materials, including:

- I-90 Snoqualmie Pass East FEIS and Section 4(f) Evaluation;
- I-90 SPE Record of Decision;
- I-90 SPE Appendix D – MDT Recommendation Package;
- Recreation impact and recreation lands technical documents;
- Snoqualmie Pass Adaptive Management Area Plan documents;
- National FHWA/USDA Forest Service MOU; and
- Barrueto et al. (2014).
- Forest Plan, Implementation-plan, and other materials cited in the Recreation Specialist Report.

Several Forest Service Box links identified in the Draft EA and supporting Recreation Specialist Report returned message: “This shared file or folder link has been removed or is unavailable to you.” A screenshot of that message is attached.

These materials are not merely supplemental background documents. They are cited to support the project purpose and need, commitments to FHWA and WSDOT, ecological objectives, recreation analysis, and the rationale for the closure. For example, the Draft EA cites the FEIS to support commitments associated with the wildlife-crossing project and directs readers to FEIS Appendix D for the conclusion that human activity near crossing structures can compromise their effectiveness.

As of August 19, 2026, several supporting files appeared to have been uploaded on August 18, 2026, 18 days into the 30-day comment period. This left the public approximately 12 days to review materials referenced by and incorporated into the Draft EA and FONSI.

Because the Part 218 process requires specific written comments with supporting reasons, the Forest Service should ensure that the public can access the documents necessary to evaluate and comment meaningfully on the proposal. The County requests that the Forest Service:

1. Identify each document incorporated by reference or materially relied upon in the Draft EA;
2. Verify that each document is publicly accessible;
3. Repair or replace all inaccessible links;

4. Make all the referenced materials available on the project website or by another reliable means; and
5. Provide members of the public with a meaningful opportunity to review those materials before their obligation to submit specific comments is considered complete.

3. The Draft EA should explain why a permanent closure is necessary before monitoring and reassessment occur.

The public notice describes a five-year temporary closure. The Draft EA instead proposes a permanent closure, while also acknowledging that long-term wildlife monitoring will provide additional information and create an opportunity to reassess closure size and effectiveness. The Draft EA also provides for continuing monitoring in coordination with the I-90 Connectivity Working Group, including WSDOT, Washington State Dept. of Fish and Wildlife, Central Washington University, FHWA, Conservation Northwest, and other participants.

This raises a central question: **Why is a permanent closure necessary before the anticipated monitoring results are available?**

A five-year closure followed by formal monitoring, reassessment, and potential renewal or modification appears to be a reasonable management approach. The Draft EA analyzes only the Proposed Action and No-Action Alternative. Yet the five-year temporary closure described in the public notice is not clearly analyzed as an alternative.

The County requests that the Forest Service explain:

- Whether a five-year closure followed by monitoring and reconsideration was evaluated;
- If it was evaluated, why it was rejected;
- If it was not evaluated, why does it not constitute a reasonable alternative or management approach warranting consideration;
- What evidence demonstrates that a permanent closure is currently necessary; and
- What evidence demonstrates that the same wildlife and public-safety objectives could not be accomplished through renewable, time-limited closure coupled with monitoring and adaptive management.

Under 7 CFR § 1b.5(c)(2), an EA must address the proposed action, environmental impacts, and, where applicable, alternatives. The Draft EA should provide a clear explanation of the basis for selecting a permanent closure rather than the temporary closure identified in the public notice.

4. The Draft FONSI and Draft Decision Notice should be completed and revised after these issues are resolved.

The Draft FONSI includes incomplete template language under “Selected Action,” including direction to “specify” the proposed action or selected alternative and to describe modifications or mitigations, if any. The County recognizes that the FONSI and Decision Notice are drafts. However, these incomplete sections reinforce the need to resolve the more fundamental question of whether the decision will approve a temporary or permanent closure.

Under 7 CFR § 1b.6, a FONSI must document the reasons for the responsible official’s determination that the proposed action or selected alternative will not have a reasonably foreseeable significant impact. The final FONSI and Decision Notice should clearly identify the action selected, its duration, its geographic scope, and any applicable mitigation, monitoring, or adaptive-management provisions.

5. The Draft EA and FONSI should clearly analyze and disclose the closure scope and effects at Keechelus Lake.

The Draft EA states that the closure does not include developed facilities, open trails, or open roads. However, the Draft EA and accompanying maps appear to include a substantial portion of Keechelus Lake, extending up to approximately 1,000 feet from the shoreline along I-90. Keechelus Lake is a significant public recreation resource. Although it is not a trail, road, or developed facility, it supports boating, fishing, paddling, swimming, shoreline access, hunting, winter recreation, and other public uses. Recreationists may also use the exposed lakebed when reservoir levels are drawn down.

The County request clarification regarding whether the closure includes:

- The water surface;
- Submerged lands;
- The dry lakebed exposed by reservoir drawdown;
- The shoreline; or
- Some combination of these areas.

The Forest Service should also identify the activities that would be prohibited within the closure boundary, including whether restrictions would apply to boating, fishing, paddling, swimming, hunting, winter recreation, and other use of the water surface, or shoreline that may be considered navigable waters.

If the proposed action would permanently restrict public access to a portion of the Keechelus Lake, the final EA should disclose:

- The number of affected surface acres and shoreline acres;
- The nature and duration of access restrictions;
- The anticipated effects on boating, fishing, paddling, swimming, hunting, winter recreation, and shoreline use;
- How those impacts were considered in the conclusion that recreational effects would be minimal; and
- Whether reasonable alternative access or mitigation measures are available.

The Draft FONSI states that there are no unique opportunities or destinations such as lakes, peaks, or viewing locations. Because Keechelus Lake is both a lake and regional recreation destination, the FONSI should address the lake if any part of it is included in the closure area and should explain the basis for concluding that the closure would not result in significant recreation impacts.

Finally, the Draft EA describes the action as a closure on National Forest Land. Keechelus Lake is a Bureau of Reclamation-managed reservoir and part of the Yakima Project, while the Forest Service manages recreation associated with the reservoir. The County requests clarification and supporting documentation regarding the Forest Service's authority to regulate access to the water surface, lakebed, shoreline, or each of those areas within the proposed closure boundary.

Requested Actions

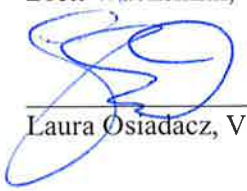
Before issuing a final EA, FONSI, or Decision Notice, the County respectfully requests that the Forest Service:

1. Clarify whether the Proposed Action is a five-year temporary closure or a permanent closure.
2. If permanent closure is proposed, correct the public notice and provide a properly noticed opportunity for the public to comment specifically upon permanent closure.
3. Repair or replace inaccessible links and make documents incorporated by reference or materially relied upon in the EA reasonably available to the public.
4. Provide the public with an opportunity to review those materials before concluding the applicable public participation process.
5. Explain whether a five-year closure followed by monitoring and reassessment was considered and, if not analyzed, explain why.
6. Revise the EA and FONSI so that the Proposed Action, environmental analysis, selected action, and public notice consistently describe the same action.
7. Clarify the type of access, if any, would be allowed on Keechelus Lake water, submerged lands, dry lakebed and its shoreline.
8. Clarify precisely what activities would be prohibited within the portion of Keechelus Lake located inside the closure boundary.
9. Explain how the effects of the Keechelus Lake closure were incorporated into the EA's conclusion.
10. Include Keechelus Lake and the impacts of the closure on Keechelus Lake in the FONSI.
11. Clarify whether the closure includes the surface water, dry lakebed or shoreline and whether the National Forest Service has the regulatory authority to make this decision.

These comments are intended to support informed decision making, meaningful public participation, public safety, and affect wildlife connectivity. They should not be interpreted as opposition to wildlife-crossing improvements or appropriate protective measures. Rather, the County requests that the duration, scope, legal authority, environmental effects, and public access implications of the proposed closure be clearly disclosed, adequately analyzed, and subject to meaningful public review before a final decision is issued.

Please include these comments in the project record for Project No. 349472 and consider each issue in preparing the final EA, FONSI, and Decision Notice.

Sincerely,


Brett Wachsmith, Chairman
Laura Osiadacz, Vice Chairman