

Reiter Foothills Recreation Planning Committee
Meeting # 6
October 29, 2008 | 6 to 8:30 p.m.

Meeting Purpose: Present and discuss DNR's management suitability analysis for recreation facilities and trails. Committee discussion of factors defining a good recreation experience.

Welcome:

- Review agenda
- General housekeeping items

November 15th Walker Valley Tour - At the November 15th Walker Valley Tour, we will be sharing the funding information associated with DNR's Recreation program including motorized and non-motorized facilities. Tour stops will include: trailheads, hardened trail features, education and enforcement approaches, gates and restricted access features.

DNR Update:

Day to Day Management – David Way, DNR

- There have been several work projects along Deer Creek designed to provide interim protection measures for the short term; the work is not permanent and use of the route will be re-evaluated following the Committee recommendations and DNR recreational planning process. The work was supported by volunteer efforts over several weeks. The interim hardening of the ford across Deer Creek is completed. The DNR is working on a plan to block a very large wet area near Deer Creek. This will keep access open for the route to the top of the Index Wall while mitigating impacts to water quality.
- The October 12th Reiter Clean-up, sponsored by Reiter Trail Watch was very successful. 132 people donated nearly 900 volunteer hours for this cleanup effort.
- The October 18th White Knuckle Grand Prix motorcycle event was put on by the Stumpjumper Motorcycle Club. There were about 200 participants of all age groups, including a shortened course for small children.

Questions and Comments:

- *Are there fees charged for events held on DNR land such as the motorcycle event?*
DNR Response: There are requirements outlined in the DNR Land Use Licenses issued for organized group recreation events, including insurance levels. There is no fee charged for licensed events at this time, regardless of the type of event (nonmotorized, motorized, etc.).
- *Can DNR share information about the requirements for recreation events?*
DNR Response: We will provide some sample Land Use Licenses to the committee.
- *Is the area on Deer Creek that the DNR has been working on above or below the Index Wall?*
DNR Response: The location of the work on Deer Creek is at least three quarters of a mile above the top of the Index Wall.

Management Suitability Analysis

The land suitability analyses the DNR is conducting identifies and maps features within the planning area that have resource management considerations that need to be taken into account when planning recreational facilities and trails. The categories of analyses the DNR is conducting in the Reiter Foothills Recreation Planning include geology and soils, management, and biology. Information is mapped at the landscape scale for use by the committee in developing recommendations for areas in Reiter Foothills. The presentation at the October 29 meeting covered the management criteria.

General Information:

Areas identified as low suitability for recreation during the DNR management criteria analysis have long term considerations; these are primarily areas with social/ political concerns and areas with leases and easements. Low suitability does not necessarily indicate recreation trails or facilities cannot be sited there: however, it highlights that there are known factors in that area needing special consideration. .

This is broad scale information and mapping and does not preclude site-specific analysis. All project level proposals for recreational development will have to be reviewed on site-specific level before they can be implemented.

Review Criteria

The following management criteria were identified during the analysis process as being significant to recreation facilities and trails.

Communication Sites:

- There are two communication sites in the southeast portion of the planning area, including a cell tower that accommodates the Snohomish Emergency Radio System.
- The issues related to communication sites includes security; which can be generally measured by the proximity of recreation activities to the facility.

Questions and Comments

- *Is there a standard set-back distance from communication sites?*
DNR Response: The DNR has guidelines, which will be presented later in the meeting.
- *Is there a policy that directs when gates are open or closed? Are the gates along the road closed or open – can other organizations make those decisions?*
DNR Response: Gates are a management tool often used to control public access and prevent damage to resources including roads. They can be DNR-controlled or are sometimes jointly controlled (another landowner or lessee and/or DNR).
- *Can DNR provide the information regarding the gates in this area?*
DNR Response: We will provide what information we have.

Rock Sources-

- There are several rock sources identified in the planning area. Rock sources could include hard rock as well as sand and gravel pits.
- The DNR or contractors operate and stage equipment at these sites, which leads to security issues for equipment left on site. In addition, blasting often occurs at hard rock sites. Rock source areas can attract recreational target shooting activities.

Questions:

- *What is DNR's policy regarding shooting?*

DNR Response: The Washington Administration Code (WAC) that addresses shooting is currently being updated. DNR is completing its work on the updates this fall and will provide information to clarify this issue once the WAC update is finalized. The proposed WAC update language is available on-line at:

http://www.dnr.wa.gov/Publications/amp_rec_rules_rev_ots-1442-3track_changes.pdf

For more information on the WAC update process, the link is:

http://www.dnr.wa.gov/RecreationEducation/Topics/OtherRecreationInformation/Pages/amp_rec_rule_revision_process.aspx

In general, shooting is allowed if done in a safe manner, but not across trails, roads, or in areas where shooting is prohibited by County regulation. A portion of the Reiter planning area is within a Snohomish County designated "No Shooting" zone. The DNR will provide information regarding this "No Shooting" zone to the committee.

- *Can anyone come and take gravel from DNR pits?*

DNR Response: No.

Areas with Leases and Easements and Right-of-Ways:

- Any proposal made by this committee will involve checking existing easements or leases on a site-specific basis.
- There are areas within the planning areas without public road access. An example of this is the road accessing the western portion of the planning area from Kellogg Lake Road – DNR has road access for DNR management purposes but there is no public road access for other purposes.
- There are some private properties where there is no public road access. An example of this is the Manke Timber property in the southeast portion of the planning area.
- There are some areas within the powerline easement where crossing is permitted and where no structures can be built based on language in the easement documents. For example, easements for certain sections of the BPA powerline in the southeast portion of the planning area contain language restricting built structures
- Within the Reiter planning area, there is a county road, state highway, and railroad right-of-way.

Questions

- *What is the width of the powerline easement?*

Committee Response: There is not a standard width; widths vary along segments of the easement.

- *Is the forest road off of the Kellogg Lake Road (Wallace Falls Mainline) a cost-share road and do tax dollars pay to maintain the road?*

DNR Response: The road is likely a cost share, which means that the road users coordinate and pay for maintenance in proportion to their use of the road. For DNR, the source of funds for road cost-share maintenance is from funds that DNR generates, not from tax dollars.

- *Can the terms of easement be influenced or changed?*

DNR Response: It is not often that easements like these are changed, although it is possible that changes can be made if both parties mutually agree.

- *Is Manke Lumber Company supportive of recreation uses on their property?*
DNR Response: DNR will continue to communicate with Manke Lumber Company as the committee develops its recommendations. Manke has indicated that they will monitor DNR's public process and communicate formally as the recreation plan develops.
- *Are there other DNR leases in the area?*
DNR Response: It is possible that there are. DNR is only aware of communication site leases in this area. As site-specific recommendations are developed, DNR will conduct screening to determine whether or not site-specific locations are impacted by leases.
- *Could the lessee restrict public access?*
DNR Response: Yes, that could be the case.
- *Are there a lot of trails under the powerlines?*
DNR Response: Yes.
- *Does the DNR ever swap land with private timber owners?*
DNR Response: Yes, the DNR is very active in many types of land transactions, ranging from purchase and sale, to exchanges, each of which on balance must benefit the trusts. One form of DNR land transaction is Trust Land Transfer, which is directed by the legislature. An example of a DNR land transaction in this geographical area involves a Snohomish County request to reconvey land for the development of a shooting range in the Sultan Basin.

Lands Near Residential Areas and Adjacent Ownerships:

- Noise considerations are important when in close proximity to residential areas. The Department of Ecology (DOE) establishes standards that are enforceable by the county regarding maximum decibel levels that can come into a neighboring property (contained at WAC 173.60). Portions of the planning area are adjacent to zoned residential areas. These areas are ranked as low suitability for motorized uses based on a higher potential for noise related issues.
- The DNR is currently working with a contractor to develop guidelines for addressing DOE noise standards. These guidelines will provide insight regarding methods to minimize the potential for noise issues taking into account site specific characteristics such as topography and vegetation.
- Counties have the ability to develop their own noise regulations as long as they are approved by DOE. Snohomish County has developed noise regulations based on the DOE noise standards that outline acceptable decibel levels depending on the use type or EDNA (Environmental Designation for Noise Abatement) of the receiving property (i.e. residential, commercial or industrial).
- When planning recreational uses, we must be cognizant of the adjacent land ownership.

Questions and Comments:

- *Can noise restrictions be negotiated with the property owners?*
DNR Response: DNR wants to locate trails and facilities in areas that are consistent with the DOE requirements.
- *Will we consider noise from a habitat/biology perspective?*

DNR Response: During the biology analyses we discussed habitat areas that are established for a variety of reasons, including noise. These will be reviewed at the November committee meeting.

- *How is time/duration considered in the noise regulations, and how do they apply to harvesting activities?*

DNR Response: Maximum decibel levels can be exceeded for short periods of time. DOE WAC 173-60, identifies a number of activities that are exempted during daytime hours including forest harvesting and silvicultural activity.

- *In Snohomish County, how does the sound ordinance apply to two different parties on the same land?*

DNR Response: That is a good question. Per WAC 173-60-050, sounds created by motor vehicles, licensed or unlicensed, when operated off public highways are exempt from the DOE noise standards EXCEPT when such sounds are received in Class A EDNAs (i.e. residential areas). So motor vehicle sound occurring on DNR land and received on DNR land (which is a Class C EDNA i.e. industrial use), would not need to meet the decibel level standards contained in WAC 173-60.

- *You may have adjacent recreational uses that must also be considered.*

Aquifer Recharge and Wellhead Protection Areas:

- Snohomish County has identified protected areas for wellheads and aquifer recharge areas. These areas are required to be mapped by the county consistent with Growth Management Act (GMA) requirements and are regulated by Snohomish County Code Chapter 30.62C. These regulated areas include sole source aquifers, Group A wellhead protection areas and areas sensitive to groundwater contamination. DNR has used the Snohomish County map information to show areas that fall within the planning area. The wellhead protection area for the City of Index is included on this map. The wellhead itself is located south of the planning area.
- If there are recreation recommendations for trail or facility locations in these critical aquifer recharge areas, DNR will consult with the water purveyor regarding the facilities or trails proposed.

Questions and Comments:

- *Do you have dimensions of these protected areas?*

DNR Response: Yes, we have these areas digitized on the map based off of the Snohomish County data.

- *Does this map contain the Index water area?*

DNR Response: Yes, this is based off of the Snohomish County data. Snohomish County is the regulatory authority that identifies areas and protection guidelines. All DNR proposals need to be consistent with all applicable regulations.

- *What are the recharge areas?*

DNR Response: An aquifer is a geologic formation capable of storing water. The recharge area is the area from which water will percolate into that aquifer.

- *Can anything done on the surface affect the water? Could the actual recharge area be larger than what is mapped?*

DNR Response: Yes, activities on the surface could potentially affect the water in the aquifer. Snohomish County has identified and delineated these protection areas

to mitigate impacts. In the case of the Index area, it is DNRs understanding that the indicated area is the 10-year travel zone for a Group A wellhead.

- *Can the municipality propose a larger protection area?*

DNR Response: Based on discussion with the Washington Department of Health (DOH), DNR understands that municipalities may have a secondary water source which may encompass a different area. Any proposal for modification of the protection area would involve discussion between the municipality and Snohomish County.

- *Could we go to the county and ask to have another study?*

DNR Response: The municipality would be best served by consulting with Snohomish County regarding the question of additional water quality testing.

- *This committee must know all we can about the water sources in this area.*
- *Have there been studies looking at the impact of the recreation in this specific area, given that uses have occurred for decades? In this specific area, have there been studies?*

DNR Response: It is DNR's understanding that the water purveyor is required to report to the DOH periodically regarding water quality.

Committee Response: *I don't believe that anything has been done here specifically.*

- *Can DNR provide some additional information regarding dimension, use, monitoring, requirements, allowed uses? More information would be helpful.*

DNR Response: Snohomish County Code at Chapter 30.62C does prohibit some specific uses in protection areas including landfills, underground injection wells, wood treatment facilities, and radioactive storage. Other uses may or may not be permitted based on the submission of a hydrogeologic report.

- *Recreation uses may or may not be OK, regardless of what the County regulations indicate.*
- *When water is tested, the standard tests are fairly routine. Could DNR offset the costs to do more sophisticated testing for other chemical molecules in the City of Index's watershed? This information may help make folks more comfortable with committee recommendations.*

- *Does the DNR use pesticides in these areas?*

DNR Response: No, not in the protected areas.

- *We should focus our time on recommended recreational uses.*
- *With regards to timing, perhaps it makes more sense to wait and see if recommendations are made in this area before seeking additional studies.*

Committee Member Response: Our job is to make recommendations on recreational uses and then the DNR collects comments and concerns as they go through SEPA.

- *Could we take a water sample now to establish a benchmark?*
- *We should review all of our options, including the possibility of ORV use.*
- *Recreation can impact downstream water, both above and below ground. We should consider the impacts in order to make the best recommendations.*
- *Water is pretty important as a resource. I would like as much information as possible to make a good decision.*
- *Given that there are several areas that could be affected, is there information regarding what has been affecting water in the last years.*

- *Recreation impacts a much larger area than where it occurs. The impacts travel. We do have to consider these issues. With regards to the 10-year travel time of the water, the use of the area 10 years ago is much different than it is now.*
- *What are the options in protected areas, are there ways to mitigate the impacts?*
- *What is the problem with a more detailed study other than cost of the study?*
DNR Response: The water resource is very important. We will bring back what information we can collect. We are talking with the Department of Health, Snohomish County, and the interested municipalities. We will continue to do so to learn more about these areas, levels of protections, and the potential impact of recreational use. DNR will continue to share this information with the committee.

Mineral Resource Lands:

This is a reference layer, not a suitability layer. The mapped areas have a high potential of being mineral resource areas. In this working forest, recreational activities must be consistent with DNR's other obligations. In mineral resource areas, there is a need for a site-specific analysis done by a geologist for the siting of facilities.

Questions:

- *Is that so a recreational facility wouldn't close the option of mining those areas for revenue generation for the trust?*
DNR Response: Yes, as well as the need for those resources for management activities such as road building.
- *How often is the DNR involved in mineral sales?*
DNR Response: The DNR has some sand and gravel operations in Snohomish County and cannot preclude those options for the future in the Reiter Foothills area.

Cultural / Archaeological Resources:

- Cultural archaeological resources are areas identified by tribal entities or contained in the Washington Department of Archaeology and Historic Preservation (DAHP) database.
- Governor's Order 05/05 requires us to do an evaluation of any proposed capital projects (e.g., trails or trailheads) for impacts to cultural resources. We coordinate those evaluations with DAHP and with any affected tribes.
- The DAHP database, does not identify any cultural sites within the Reiter Foothills planning area, however, there may be some sites that are not yet identified.

Question:

- *What tribe was historically involved in this area?*
DNR Response: The Tulalip Tribes.

The committee reviewed the management suitability criteria composite maps for recreation facilities, motorized trails, and non-motorized and hiking trails. This analysis identifies areas that may be either more or less appropriate for the siting of recreation facilities and trails.

Discussion of User Group Experiences

This discussion was postponed until the next meeting to allow full discussion of suitability criteria, including water quality questions and comments.

Review Action Items and Next Steps:

Information requests:

- Copy of DNR Land Use License for some recreation activities
- Snohomish County Regulations regarding shooting in this area
- Water quality information – DNR will follow up with Index and consult with the state and county regarding water resources. This information will be shared with the committee at a future meeting

At the November meeting we will:

- Review biology suitability information
- Share composite suitability maps