

I am writing with comments about the recently submitted DNR Proposed Zoning Amendment and regarding the recently submitted DNR SEPA Checklist, submitted by DNR to be considered for the County's 2018 Docket.

First are my comments on The Proposed Amendment:

a) The Proposed Amendment, when read in its entirety, appears to be Spot Zoning as the Proposed Amendment applies to only one property owner's property, i.e. DNR. The added definition of 'Motorized Trail System' is specifically limited to trails on DNR lands, and thus when the proposed new Conditional Use is read in its entirety with the new definition of Motorized Trail System, the Proposed Amendment applies to only one property owner's property. There are many instances where DNR Commercial Forestry is adjacent to private Commercial Forestry, and this Proposed Amendment would treat the two types of Commercial Forestry lands differently, and thus "*specialy zoned for a use classification totally different from, and inconsistent with, the classification of surrounding land and not in accordance with the Comprehensive Plan*" (citing WCC 20.97.186)

b) A review of a proposal that appears to be a request for Spot Zoning must consider the *general welfare, safety, health and well-being of the entire community as a whole*. (referring to the concepts of, but not quoting, WCC 20.97.186) Undertaking that review, first I turn to impact on local services (EMS, fire and sheriff).

The local fire department and emergency medical transport system serving the East County (Deming to just west of Glacier) already are over burdened, as PDS and the County Council know.

Such a development proposal, with increased demand on EMTs due to the nature of the activity contemplated, will probably decrease services to local residents. For frame of reference, those services are based in Kendall. Already, medical emergencies are frequently transported to Bellingham by an ambulance shuttle meeting a Bellingham ambulance half-way to Bellingham, and then the local Kendall EMT vehicle returns to Kendall so as to limit the time that the area is without the presence of an EMT vehicle.

There will also be increased risk, due to the proposed increased numbers of ORVs in the fire district, of grass, brush and wildfire from hot mufflers of the ORVs of any nature. In the summer of 2017, there was such a grass fire that was ignited, per the local fire fighters, by dirt bike/motorcycles driving through the grass on the forested land and clear-cuts just east of Kendall. Those of us who live merely a few acres just east of the fire were quite concerned for several hours as to whether or not we would have to evacuate. We do not want to face that increased risk.

The County Sheriff's department is understaffed as it is, and for East County historically there has only been one Sheriff to cover the entire area of over 208 square miles. There is a history in the Foothills of trespass and other violations of DNR's lands by ORV users. There is only one DNR enforcement officer for all of Skagit County and Whatcom County, and historically there has been little to no enforcement action against these violations on DNR land. Local residents have called upon the Sheriff Department to enforce ORV user violations and have been turned down because DNR land is not

within the Sherriff's jurisdiction. To have increased potential of trespass and other violations puts an increased burden on the residents of Whatcom County who will have little to no protection, and increased burden on the Sheriff's Department, if this Zoning Amendment is approved.

These increased risks from such a Proposed Amendment may well tip the balance to the local services' inability to serve residents. And in the Columbia Valley UGA, there are over 4,000 residents who would be impacted by decreased services due to over- demand from such a development proposal. In addition, the service area includes the many hundreds of residents in the district who live outside of the Columbia Valley UGA. Those services are not paid for by DNR, to the best of my knowledge, but by the taxpayers.

c) turning now to another aspect of the review required for determining whether or not a Spot Zoning request is appropriate, we look to Whatcom County resident surveys as well as the recent SCORP Survey, as well as County governing documents. Based on the following surveys and sources, this proposed use of DNR lands and the Proposed Amendment do not reflect the local communities' priorities, and thus do not benefit the communities. See the following paragraphs for background:

i) The wishes of the neighboring communities:

1) the SCORP Survey which DNR cites re those community members who would support motorized trails both single track and double track on the DNR lands, refers to 11% of the Statewide population as being in support of ORV-ATV recreation (citation from the 2017 SCORP Survey page 59, Appendix A- Activity Participation Rates). That reference should include language from the Survey that of that 11%, the Survey itself states that there is *higher participation in noncoastal counties, which could well mean that the percentage in Whatcom County is less than 11%*. Even so, if only 11% support motorized trails, that should not ignore the desires of Whatcom County residents, voters and taxpayers who would have to live with the consequences of such a proposal. See following paragraphs for discussion of surveys in Whatcom County:

2) Whatcom County Comprehensive Parks, Recreation and Open Space Plan, 2016 reports that facility priorities for local residents, motorized trail facilities scored "*very low*" ranking of all activities, with a scoring of 9% (see page 45). The 2016 WCCPRPSP also reports that development plan priorities also scored "*very low*", with 11 % scoring;

3) Whatcom CCPRPSP updated 2016 Appendix, with 2013 Survey:

See page 75, not only was the need for *additional facilities* for off-road ATV, motorcycle, and ORV parks the lowest rated activity per county survey but also on that question, 69% of respondents rated off-road ATV, motorcycle, and ORV parks lowest priority, 22% rated middle, and only 9% rated off-road ATV, motorcycle, and ORV parks highest priority.

See also on page 75, the need for additional facilities for *multipurpose trails* (which in the Whatcom survey were identified as hike/bike/horse trails) was in the grouping of *high to moderate priority* with 35% saying it was the highest priority, and those choosing the lowest came in at 28% and 36% coming with a middle ranking.

The Whatcom County definition in the CCPRPOSP of Multi-purpose trails for hiking, biking and horse riding ranked significantly higher than the ranking of off-road ATV, motorcycle, and ORV parks. *It bears repeating that Whatcom County's definition of Multi-purpose trails does not include off-road ATV, motorcycle, and ORV parks.*

See also page 89 development plan priorities where off-road ATV, motorcycle, and ORV park plans ranked 'very low' at 11%. See also page 97 of the Appendix of the CCPRPOSP.

See also the Survey Monkey responses noted on page 126 of the Appendix of the CCPRPOSP where the responses had slightly higher rankings, but still quite low for the trail needs of off-road ATV, motorcycle, and ORV parks.

4) in addition, the 2014 Foothills Subarea Comprehensive Plan (which covers significant numbers of the DNR properties) does not include any provisions for motorized trail recreation plans.

5) The Whatcom County Comprehensive Plan, 2016, Chapter 9. Responding to DNR's justification and rationalization for this Proposed Amendment, as described in the Proposed Amendment Form, Section B Purpose/Applicability, Question 4:

First, the Proposed Amendment justification paragraphs do not include mention, as included in Chapter 9 of the WCCP, of the background that there have been two prior attempts in Whatcom County to establish ORV parks, which failed to gain approval, evidencing the local communities desire not to have ORV parks. Please note that those attempts do not appear to have defined ORV parks as DNR has defined that phrase, but have more loosely meant '*any area where motorized activities of ORVs, including ATVs and motorcycles and 4-wheel drive and similar vehicles, occur*'. The local communities continue to resist motorized recreation sites such as proposed by the DNR Motorized Trail System.

Second, the Whatcom County Comprehensive Plan does not mandate 'spot zoning' to achieve DNR's goals for motorized trail recreation but merely states that 'the County coordinate with DNR to provide ORV opportunities' and 'should continue to assess its role in the ORV program'. Such provisions in the WCCP are not a requirement to change zoning or permitting without regard to whether or not such a change would not be in the best interests of Whatcom County. Also, the WCCP does not include a statutory mandate binding on Whatcom County to adopt a Spot Zoning, or for that matter any type of zoning, for DNR's goals for ORV usage and trails. Nor does the WCCP include any undertaking binding on Whatcom County to adopt any such zoning.

Third, the Proposed Amendment does not bring the zoning into line with the Comp Plan as the current zoning is not out of compliance with the Comp Plan.

d) My final comment on the language of the Proposed Amendment is that the Proposed

Amendment as drafted is incomplete as it does not state how the definition of ‘Off-road Vehicle Park’ fits into the Conditional Use addition of ‘Motorized Trail System’.

The question is, are Off-road Vehicle Parks *included* in DNR’s plans or are Off-road Vehicle Parks *specifically excluded* from DNR’s plans. As presently drafted, one could interpret the Proposed Amendment either way. I would urge that Off-road Vehicle Parks be specifically excluded in the Proposed Amendment from DNR’s Motorized Trail System.

This comment also applies to Question A Section 11 of the DNR SEPA checklist (discussed in the following paragraphs), as the language in the answer to Question A Section 11 again does not state how the definition of ‘Off-road Vehicle Park’ fits into the Conditional Use addition of ‘Motorized Trail System’.

Second, and following, are my comments on The DNR SEPA Checklist (referred to herein as the “Checklist”):

It is inaccurate to say, as asserted throughout the Checklist, that this Proposed Zoning Amendment is non-project specific and therefor has no environmental impacts.

From all appearances, DNR is in fact very close to selecting recreation sites in Whatcom County, notwithstanding DNR’s assertion otherwise in the Checklist, as DNR has narrowed down the alternatives of DNR Lands in Whatcom County for the proposed ORV/ATV motorized trail project to two sites. The two sites being considered for motorized trails are Sumas Mountain and Red Mountain.

DNR has had these two mountains in Whatcom County included in the DNR concept maps **A, B and C** since October 10, 2017. Those Concept Maps have been on the DNR website since that date.

Here is the DNR website for this proposed project: www.dnr.wa.gov/BakertoBellingham

Further, in December 2017 there was to have been a submission of 2 new concept maps (per minutes dated October 10, 2017) which was to have been a reduction of potential choices and replacement in their entirety of Concept Maps A,B and C; that meeting was rescheduled to January 9th2018.

At the January 9th meeting, DNR presented the 2 new concept maps **D and E**, which *were revisions and replacements of original concept maps A, B and C; the original maps A, B and C are no longer applicable.* *We understand that DNR is now limiting its review for this proposed project to the DNR lands reflected in the new Concept Maps D and E, which would have been the case in December 2017 if they had had the December 2017 meeting.*

As you will see on your review of Concept Maps D and E, DNR considers those sites for motorized trails, both single track and double track, as shown by the notations on the maps.

Sumas Mountain, if chosen, would have a 5,100 acre proposed motorized trail system, and Red Mountain, if chosen independently or in conjunction with Sumas Mountain, would have a 2,600 acre

proposed motorized trail system.

In addition to the Concept Maps on the website, you will see that DNR has prepared and posted on the website several in-depth GIS maps, some of which were prepared in 2016:

- 1) geology suitability map,
- 2) biology suitability map
- 3) management suitability map and
- 4) tri-composite suitability map.

As further evidence of serious contemplation of physical sites, in 2017 DNR conducted field trips with the Advisory Committee members to several of the DNR properties, including Sumas Mtn and Red Mtn.

DNR also made two presentations about ongoing management issues and planning regarding the Marbled Murrelet, an endangered species that has nesting areas on Red Mountain and a proposed management area on Sumas Mountain. The Marbled Murrelet presentation material is found under the Meeting Materials on the DNR website for the meetings held on June 14, 2016 and on January 10, 2017.

Motorized Trail Systems and their use will cause environmental impacts. We know at a minimum that there will be noise, disturbance of wildlife and their habitats, soil disturbance and erosion, and disturbance of streams and washing of disturbed soil into the streams. There are eagles, hawks, bear and cougar and deer on Red Mountain and Sumas Mountain, as well as many other species, that will be disturbed and likely forced out of their habitats.

Such focus on sites, along with identification of proposed trail use, parking lots and trail heads, means that in essence DNR with the stroke of a pen would be able to choose a site, and was in that position, to all appearances, in December 2017 prior to submitting the SEPA Checklist which asserts that the requested amendments are *Non-Project Specific*.

To those of us who live here, and have reviewed the minutes of the Advisory Committee meetings, and the GIS Maps and the Concept Maps, it certainly seems that DNR is taking advantage of the use of language and technical concepts to call this *Non-Project Specific*.

In addition, I repeat my prior comment that Section A, Background, Question 11 of the Checklist does not state how the definition of 'Off-road Vehicle Park' fits into the Conditional Use addition of 'Motorized Trail System'. Question 11 should be clarified on that point.

In addition, please note that Section A, Background, Question 12 of the Checklist is not accurate as it states that the location of the proposal is:

"Commercial Forestry zoned lands countywide"

That statement is inaccurate as the Proposed Amendment does not apply to Private Commercial Forestry lands, and applies only to DNR lands.

In addition, Section B, Environmental Elements, Question 8 b, as written, needs to be revised to read that the *Location* of the Proposed Amendment is limited to DNR Lands in Commercial Forestry in Whatcom County. The Proposed Amendment does not apply to Private Commercial Forestry in Whatcom County.

For all of the foregoing reasons, I urge the Whatcom County Planning and Development Services to reject the Proposed Amendment and to withdraw it from consideration for the 2018 Docket for the Planning Commission.

Thank you for your consideration. Please do not hesitate to contact me if you should have any questions or comments.

On behalf of Friends of Whatcom's Hills and Mountains, an unincorporated association of Whatcom County residents, we urge you to reject the docketing of DNR's proposed zoning text amendment to allow off-road motorized vehicles (ORV) trails as conditional uses on its lands.

The docketing of the proposal conflicts with the Growth Management Act. Under RCW 36.70A.040(3), a county planning under the Act, like Whatcom, is required to adopt zoning that is consistent with and implements its comprehensive plan. The proposed zoning conflicts with this requirement because it purports to designate ORV trails without first going through the Comprehensive Plan amendment process under Chapter 2.160, a prior step also required by wee 20.90.030(5).

The County Comprehensive Plan Recreation Element does not address the siting of ORV trails. The Goals and Policies under part 9C provide for trails for non- motorized use, including horseback riding, hiking, bicycling, and walking, but not for off- road motorized use. The Recreation Element at Goal 9F does provide that the county "should continue to assess its role in the ORV program." But that is not what the zoning text amendment purports to do. The proposal does not amount to an assessment of the county's role, but rather skips over both the assessment process and the plan amendment process and proceeds directly to a zoning text amendment, which would allow various ORV facilities by conditional use permit.

Docketing the request would put the cart before the horse, as it proposes an outcome (ORV trails by conditional use permit) without conducting the prior assessment. Such an assessment would logically address: the county's regulatory role in approving ORV trails; the potentially affected lands; potential environmental impacts; additional demands on county services, including law enforcement, fire suppression, and emergency services; the ability of the county to meets those demands, and the interests of and impacts upon other jurisdictions, including tribes. The County has the authority to consider and address such impacts as they may arise from ORV use on DNR lands. See *University of Washington v. City of Seattle*, 188 Wn.2d 823, 845, 399 P.3d 519 (2017)(state agencies must comply with local development regulations). Rather than considering a request to create a permitting procedure for a particular landowner, the bare

concept of ORV use on forest lands first must be evaluated.

The DNR also is getting ahead of itself. Its response to Environmental Checklist question 7 identifies an on-going process of developing a 15 year recreation management plan for DNR managed trust lands in Whatcom County, which apparently will involve the consideration of ORV use on DNR's Commercial Forestry lands.

Because the DNR is in the process of conducting its own an assessment of recreational uses, consideration of DNR's proposed amendments should await the results of that process. To do otherwise, and proceed ahead with text amendments that would allow permitting at sites DNR has already proposed, effectively bypasses both DNR's plan management process and the county's assessment process: The county should await the results of the DNR's management plan review before even conducting the county's own assessment.

The SEPA Checklist submitted with the zoning amendments is incomplete and inadequate to support the request. Responses to many questions assert that the proposal is a non-project action, that the zoning changes themselves create no impacts, that no environmental information has been prepared, and if site-specific proposals emerge, potential impacts would then be evaluated.¹ These responses fail to satisfy SEPA.

A SEPA determination must demonstrate that it resulted from "actual consideration of environmental factors." *Norway Hill Preservation and Protection Assoc. v. King County Council*, 87 Wn.2d 267, 275-76, 552 P.2d 674 (1976). The burden rests upon the governmental agency (both the County and DNR) to demonstrate that actual consideration was given environmental factors. *City of Bellevue v. King County Boundary Review Board*, 90 Wn.2d 856, 867, 586 P.2d 470 (1978). Conversely, the lack of a record demonstrating actual consideration of environmental factors renders the agency's determination clearly erroneous. *Gardner v. Pierce County*, 27 Wn. App. 241, 246, 617 P. 2d 743 (1980).

To survive judicial scrutiny, consideration of environmental factors may not be superficial; it must be sufficient "to allow decisions to be based upon complete disclosure of environmental consequences." *King County v. Washington State Boundary Review Board for King County*, 122 Wn.2d 648, 664, 860 P.2d 1024 (1993). See also, *Anderson v. Pierce County*, 86 Wn.App. 290, 299, 936 P.2d 432 (1997) ("[A]n Environmental Checklist ... must provide information reasonably sufficient to evaluate the environmental impact of the proposal[,] citing to WAC 197-11-315 to 335.).

A zoning text amendment that would not by itself create direct impacts, would still result in indirect impacts that must be considered. WAC 197-11-060(4)(d)4.² Cf, *Ullock v. City of Bremerton*, 17 Wn. App. 573, 581, 565 P.2d 1179 (1977)(EIS for non-project zoning action must consider maximum potential development allowed by proposed zoning).

DNR has identified potential sites for its ORV trails. The nature of the contemplated uses is known, including, motorized use of trails in areas of approximately 7,600 acres. The potential impacts of those uses can be identified, such as: increased risk of fire; displacement of wildlife, including endangered and threatened species; erosion; stream sedimentation; damage to spawning beds and wildlife habitat; noise; and conflicts with non-motorized uses. The potential for these resulting impacts

must be considered now and not deferred until review of a particular conditional use permit application. Moreover, SEPA requires the consideration of alternatives at the current threshold determination stage because the proposal "involves unresolved conflicts concerning alternative uses of available resources." RCW 43.21C.030(2)(e). The environmental review contained in the Checklist fails to satisfy SEPA's obligations. Any docketing should be deferred until adequate environmental review is conducted.

By no means is the County compelled to process DNR's proposal. DNR claims that the proposal would address a need for the department to work with the county in finding efficiencies in the permitting of trails and other recreational facilities on DNR lands. The particular statute at RCW 79.10.510 provides:

The department should work with representatives of local governments to find efficiencies in gaining local government permits for the development and maintenance of recreational facilities and trails. If barriers to permitting efficiencies require legislative action to overcome, then the department must provide options for solutions to the appropriate committees of the legislature.

As clear from its wording, the statute neither addresses ORV trails nor requires that they be permitted. The absence of a provision within the county's Comprehensive Plan and zoning to allow for the siting of ORV trails does not create a conflict with state statute as that statute neither mandates the siting of ORV trails nor compels a particular result. It simply articulates an aspirational goal that the DNR "should," not shall, work with local governments to find efficiencies in permitting recreational facilities and trails in general, not ORV trails in particular. The county's assessment process is already responsive to that direction.

On its merits, the proposal to list "motorized trail system" as a conditional use just on DNR lands conflicts with the uniformity requirement at RCW 36.70.770 of the county Planning Enabling Act, which provides:

All regulations shall be uniform in each zone, but the regulations in one zone may differ from those in other zones.

This provision bars disparate treatment of different landowners within a given zone. As currently proposed, DNR is asking that its lands zoned for commercial forestry be subject to different restrictions than other lands zoned for commercial forestry. Essentially, DNR is requesting special treatment based upon ownership, which fails the uniformity standard. In other contexts, its proposal would amount to prohibited "spot zoning," *i.e.*, special treatment of its lands based upon ownership.

Docketing the request is discretionary with the county. RCW 79.10.510 does not amount to a statutory mandate for docketing. See *Stafne v. Snohomish County*, 174 Wn.2d 24, 38, 271 P.3d 868 (2012) *Cf. Concrete Nor'west et al. v. Whatcom County, et al.* GMHB No. 12-2-0007, Final Decision and Order at 13 (September 25, 2012). Docketing the request would be inconsistent with the GMA, SEPA, the county Planning Enabling Act, and the County's own Comprehensive Plan.

For the above reasons and additional grounds presented in Amy Mower's letter to you of

January 12, 2018, DNR proposed zoning text amendments should not be docketed.

Thank you for your consideration of these comments. Please list this office as a party of record for notifications of all further proceedings.

I'm writing this letter to express my support for an ORV RECREATION AREA on DNR lands.

It has been a common misconception that the off road community has the inability to "self police". I find this to be a very unfortunate belief spread by individuals that don't want any ORV recreation on any lands whatsoever.

I currently belong to a local ORV club that consists of 40 members in good standing (dues paid) with many more that are taking a leave for various reasons. That's 40 members in a county that doesn't even have any place to recreate. The closest ORV recreation area is Walker Valley. Our club routinely exceeds it's bi-annual commitment of 500 volunteer man hours to maintenance. Last year alone we committed close to 1300 hrs for maintenance between Walker Valley and additional work around Whatcom County.

The majority of issues that are encountered are created by individuals that don't not want to use the land for anything other than an illegal dumping ground, places where they feel safe breaking the law. With ORV RECREATION, that takes away a criminal's "safe" place.

I ask that you please consider giving the ORV community a chance to prove that ORV RECREATION can be done in a sustainable and environmentally friendly way. Give the ORV community an avenue to leave DNR lands in better shape than they are right now, an opportunity to pass the mindset of being good steward to the lands for generations to come.

Thank you for your consideration for ORV recreation in whatcom county.

I am a resident of the east county-I live in Welcome WA. I want to go on record as unequivocally opposing zoning amendment PLN 2018-004. I strongly oppose motorized trail systems on DNR commercial forest land in Whatcom County. This zoning change would make these lands noisy and would rip up land and ruin our waterways. The salmon are under enough stress as it is. I cannot understand why this massive change is being considered. NO!

I am very much opposed to the proposed zoning amendment which would allow movement towards establishing an off road vehicle facility per the Bay to Bellingham Recreation plan. In fact, due to environmental damage and negative impacts to homes and landowners in the surrounding areas, I remain as opposed to this ORV plan now as I was to the one that failed in the area over thirty years ago.

Adding to my reasons for opposition from years past, I would also like to address concerns that are pertinent

in this day and age:

SAFETY:

1. Fire Danger – Regardless of the cause, our summers are becoming drier. In summer during a hot spell, the valley tends to be warmer and drier than other parts of the county. This now leads to worries of forest fires and exercising extra caution when outdoors. Having grown up in this valley, it was bit eerie to see smoke from the Red Mtn. fire last summer – rumor having that it was started by ORVs sparking the dry foliage.

If a fire were to start due to ORV use in such a facility, who would be liable for the cost of fire fighting and lost homes?

2. Emergency Response – The population in this valley has definitely grown over the years. As it is now, our volunteer fire department is stretched thin as far as manpower. There is no cell phone reception on Sumas Mtn. In the case an incident occurs, with the EMS services eventually summoned, given the amount of time that could be spent responding to such a call, a question could be whether enough EMS manpower would still be available to respond to a general community call, say in the Paradise Lakes/Peaceful Valley area?

3. Personal: I've been told that law enforcement for DNR lands is very meager. Incidents of crime involving weapons use, drugs and thefts set against the backdrop of acres of open land could be pretty hard to control.

Additionally, we know our neighbors from the lower BC mainland enjoy visiting Silver Lake Park and Mount Baker. Consider then, increased use of an ORV site due to our ORV neighbors from the north.

Lastly, a talking point has been made as to how the additional activity could add to area commerce. Kendall has the North Fork Brewery and two convenience markets.

Maple Falls has a pot store, two markets, coffee shop and burger place..... I have lived in this valley all my life; and overall don't see either location getting rich off an ORV park.

In closing, thank very much for taking the time to read my concerns. This valley is our home. At the end of the day, we will not be able to get away from the negative impacts such a facility will bring...

Good day DNR folks, thank you for enabling the platform in front of us with the Baker to Bellingham rec committee. I sat in on many of the first years meetings, but have not been able to make it since then. I support ALL the types of recreation being proposed on DNR managed lands. I believe if our funds are being used for any kind of recreational purpose, there should be no recreational limits. It doesn't make sense to allow one type of recreation and not another. We need to support the motorized orv areas, just as much as we need to support horse trails and hiking areas.

I am a life long Whatcom county resident. I realized as a young adult that every time I went somewhere to spend time "outdoors" (hiking, motor biking, horseback riding, hunting, fishing ect.) I was mostly driving out of our county to do so. I spent money in other counties for fuel, food, and supplies. I have

always wanted to be able to go into my own county and spend time in the wilderness areas that I call home.

My main support for the recreational plan is to allow motorized use. Both single and double track is equally important. In my experience, it is while I enjoy motorized recreational use, that I can be a better steward of the land. I can cover more ground, and assist others if needed. We have been a part of several organized garbage clean up efforts on public lands, which would not be possible if motorized use was not permitted. The legal users of motorized sports are not the ones out there dumping their trash. We are the ones cleaning it up.

Please incorporate a motorized use area within the new plan for Whatcom county. We need to allow our residents the opportunity to recreate in their home area, legally. We also need to keep some of those recreational dollars in our community, supporting our areas economy. We can all benefit from increased tourism. A strong economic community increases property values making all our primary investments (our homes) more valuable. All the little things add up to a better quality of life.

In some of my travels around our country, I have noticed that the more suppressed, the poorer the quality of life is. In the regions that offer more, the residents seem much friendlier and happier. That's an environment that is attractive to everyone.

Zoning amendment PLn2018-0004

i am oPPoSed to this proposed amendment allowing motorized trails systems on dnR commercial forest land in Whatcom County. the county has considered similar proposals twice before and rejected them for good reasons – those reasons are even more applicable today than they were previously.*

dnR and the Baker to Bellingham Planning Committee have rushed this request, which they describe themselves as “preliminary,” to the planning commission without performing due diligence on its impact nor adequately assessing public opinion thereby not fulfilling the committee’s goals as stated in their initial meetings. the amendment should be withdrawn.

*if you would like a list of reasons, i will happily provide one.

I attended a meeting of the DNR Recreation Advisory Committee regarding the “Bay to Baker” recreation concepts on Tuesday, January 9, .2018 at the Deming Library. As a resident of eastern Whatcom County (Acme area) I have great concerns about the aspect of the proposal which includes sanctioned areas of DNR lands on Sumas Mountain and Red Mountain which would be devoted to ORV trails.

It was explained that current Whatcom County zoning regulations prohibit motorized use of any Commercial Forest land within the county. The DNR representatives at the meeting summarized the DNR’s intention to petition the County Council to amend the relevant code to instead permit motorized use of trails on Commercial Forest land within the county so that permissible use of ORVs in planned areas would not be in violation of current zoning code.

I’m writing to urge you to abandon the effort to amend this vital zoning prohibition. The opposition to ORVs on trails in east Whatcom County is strong and stands on vital concerns, values and realities that remain even more relevant now than when the zoning ordinance was established.

The meeting room at the library was packed with county residents strongly opposed to including the ORV trails in the plan. Some of the most compelling arguments expressed stemmed from people already adversely affected by the lack of DNR responsiveness to any calls to complain about trespass on their property, environmental destruction by illegal use of motor bikes, quads and other ORVs. ORVs typically would go off roads, damage stream channels, make their own trails and damage the environment in multiple ways.

A volunteer firefighter from Welcome spoke about the woeful and burdensome need of the volunteers to respond to accidents or wildfires on the DNR lands on Sumas Mountain and Red Mountain. There is no cell service in the areas proposed for ORV trails, so a companion of an injured person would have to run out and try to find a landline to call 911. A small group of volunteer first responders should not be expected to respond to the greater numbers of aid calls for emergencies which sanctioned ORV trails would result in. Climate change makes dangerously dry summers increasingly likely, severe and prone to wildfires spreading uncontrollably and imperiling residents' homes, and forest wildlife and trees. The emergency response capability is not able to meet the scale of the increased demand. The financial risk that the state would assume due to lawsuits resulting from the proposed amendment's outcomes on the ground is not warranted.

There are alternatives for ORV users. There is an ORV park in Skagit County, Walker Valley ORV, offering 36 miles of ORV trails which Whatcom County ORV users can use with a Discover Pass. Looking at their Facebook page, people drive from Oak Harbor, Issaquah, Everett and beyond to use it. Whatcom County residents are within range of other users of that facility.

The population of the East County and property ownership abutting the proposed sites has grown significantly since the 1987 defeat of a Whatcom County Parks and Recreation and DNR joint attempt to create designated ORV trails on Sumas Mountain.

As climate change intensifies, the chance of accidental wildfires starting due to illegal campfires and violations of the requirement for spark arrestors would rise dangerously. Such fires threaten to burn timber on DNR land. It would be a Pandora's box of unintended consequences and failed response to those problems. The need for the zoning regulation banning motorized use of trails is even greater now than when it was adopted.

Please reconsider and avoid the fierce political fight that promoting the proposed amendment would bring.

I fully support motorized recreation in Whatcom County.

As a member of a prominent Jeep Club in the Snohomish county area, We responsibly enjoy off road areas all around Western Washington and Eastern Washington. It is a great way to spend time with family and friends. Teaching skills a disconnecting from electronics.

As a club we spend thousands of hours per year volunteering to help non-club members obey signs and

regulations. We hand out trash bags to make sure the area is cleaner than we found it.

We donate hundreds of hours to help other recreation areas to (maintain ADA access, water quality, road maintenance, sign maintenance, etc..) and will certainly help in Whatcom County.

Opening a new recreation area will help alleviate some of the heavier traffic Walker Valley has experienced and allow many other families share the joys of motorized fun.

I would very much like to have a recreation area open to 4wd trails included in the plan. I have been off and on involved with 4wd clubs and individual enthusiasts for the past 22 years. It is an exciting form of recreation and a great way to meet other people with similar interests and those that have a great appreciation for the forest.

The vast majority of off roaders adhere to Tread lightly ethics when it comes to motorized recreation and many, including myself willingly volunteer our time, money, and efforts to keeping our forests and trails clean and also try to promote our interest in a positive light.

I recently moved to Bellingham from Olympia, and have been looking forward to exploring my new surroundings. The only reason I am even emailing you now is because of social media post from a local 4wd club (Rainer Ridge Riders) that I plan on becoming an active member of in the near future. Its groups like this that can become allies with the DNR and could lead to further opportunities for both dnr and all sorts of outdoor recreation users not just motorized.

I strongly support the idea of increasing motorized recreation on DNR lands.

Some of us are just getting wind of these meetings and they are stacked and we are completely opposed to anything that encourages or promotes motorized use in forest lands!: Over a third of the folks on your Advisory Committee are different types of ORV users so why are you not affording this same opportunity to other user groups? ORVs are the only kind of trail users that are totally incompatible with other types of use.

Multi-use means runners, horseback riders, bikers... you name it; once motorized vehicles are allowed on trails, it makes them unappealing, and worse, unsafe for all of the rest of us. I am opposed to motorized trails systems of any kind on public land in Whatcom County.

We are against ORV trails. It would not benefit where we live and would disrupt and cause fire hazards. Please don't ruin where we live. Sincerely . Desma and Bob Jones Peaceful Valley Maple Falls.

I am a frequent hiker in the foothills, Cascades, and Chuckanuts. I believe in opening up trails to non-

motorized vehicles, but abhor motorized ones, as I attempt to walk as many places as possible to reduce my footprint on the planet. Loud, polluting, and destructive machines have no place in the wilderness. We haven't had the privilege of travelling much, but did visit Moab about 10 years ago. I was stunned by the beauty of the red bluffs, and enjoyed river rafting. Then I saw the 4-wheel drives wheeling up the cliffsides, roaring their stupid engines to destroy the landscape. I left, and never came back. (Current plans for mining there are even worse, but that's another story). Haven't we had enough of humans ravaging animals, plants, and soil in their selfish pursuits?

Thank you for allowing public comments.

I really like the Concept E with the large Double Track Trail System. This would be a great resource for responsible offroad users.

The DNR and Whatcom County need to provide opportunities for it's residents and non-residents, tourists, to recreate on public lands in a responsible manner. All forms of recreation ought to be planned for, designed to be as sustainable as possible and offer users a enjoyable experience. These goals are achievable through partnerships, collaboration and use of volunteer time, experience and equipment. I'm very happy to see that the DNR is proceeding in this process to provide access to our public lands.

On January 9th, I attended a public meeting at the Deming Library to discuss a county code amendment which would give the Department of Natural Resources (DNR) the authority to allow off-road vehicle (ORV) racetracks on DNR land (Sumas and Red Mountains). In attendance at this meeting were two representatives from DNR, 17 Bay-to-Baker Trail representatives, and 30 or so concerned citizens. In February you will be voting to approve or reject this code amendment. I'm asking you to vote no for the following reasons: 1. The actual sound power output of a two-stroke racing dirtbike is around 120-130 decibel sound power. Allowing ORV's on DNR land will be above the allowable limit at the boundary of adjacent residential private properties. (Please see the attached example report. I'd recommend that you have DNR hire a professional sound consultant do their own similar report, and publish it publicly, if they haven't already done so) 2. The additional work load for our local volunteer and professional emergency responders who would be working on an extremely challenging landscape and without cell phone service 3. Increased fire hazard from sparks off the ORV's during dry summer months 4. At the Jan 9th meeting, the representative from DNR (Glen Glover) told the entire group that DNR hasn't actually made the decision on whether or not to allow ORV's, even if Whatcom County Council approves the code amendment to allow ORV's. Why would you approve an code amendment request from an organization that hasn't even fully decided what to do if the code is amended? DNR needs to provide you will a clear plan of exactly what they are proposing, **before** they request a code amendment change from Whatcom county council. Vote no on on this half baked code amendment.

My wife and I own 5 acres located Maple Falls, WA. We live here with 3 small children. Our property borders DNR land on the east side of Red Mountain. My family has a reasonable expectation to peace and quiet while on our private property and will be taking legal action if the decision of Whatcom county council results in the inability for my family to enjoy our property. I trust your better judgement will prevail as it has in the

past.

I am interested in the Baker to Bellingham recreation plan. I am pleased that DNR is considering expanding trail access in Whatcom county. However, as a geologist, I am dismayed by the number of proposed options that include motorized/ORV transport in large areas of hazardous and sensitive terrain. The geology and soils maps clearly show the abundance of steep slopes, landslides, and sensitive streams in many of the areas proposed for ORV trail development, especially Sumas Mountain. Motorized travel does much more damage to the environment in terms of erosion than non-motorized travel. Furthermore, while the other types of travel are generally compatible with one another (biking, hiking, horses), ORVs on these same trails would cause danger and conflicts between users. I encourage you to prioritize non-motorized trails and minimize or eliminate the area open to motorized users.

I support motorized recreation on DNR lands as part of the Baker to Bellingham Recreation plan. I am an avid outdoors man who hikes, hunts, fishes and enjoys the motorized recreation as well. I am also have three children, one of which has special needs and cannot easily hike as most can enjoy. In order to be able to share the outdoors with my daughter I ask that you include motorized recreation on DNR lands in Whatcom County. This will ensure that equal access is provided to my daughter and others with handicaps or special needs.

I am writing in response to the recent news about the proposed re-zoning of DNR land in Whatcom County to allow motorized use of all DNR land in the county as part of the Bay to Baker Recreation Plan. Although I understand the intention is not to open all DNR land, there are specific proposals (PLN2018-0004) to develop motorized use areas on one or more of the foothills as proposed in Concepts D & E. My family lives in the South Fork Valley very close to the Van Zandt Dike and we are familiar with all of the Foothills and walk often in the area.

I realize there must be responsible people who enjoy motorized recreation but I have to say that my experience in the Deming area has been to see frequent disregard for the private and public land and general abuse of the forest, roads and landings. Within just the past few years we witnessed a system of ORV trails that had been built in the DNR and private forests off of Rutsatz Rd with trails through streams and garbage littering the area. (One of these trails crossed a part of our property.) In other cases, I have seen party sites where fires have been built, trees have been chopped down (for the fires), trash has accumulated & target shooting has left a mountain of empty shells. I'm sure this is not news to you, but it does serve to remind us of the possibilities for expanded misuse of our public lands.

Among the concerns above, we must also be aware of the increased danger of fires as our forests experience increased dryness each year. ORV's can spark a fire from their exhaust systems and of course there is the added danger of cigarettes, camp fires & fireworks. Where are the resources to address this hazard? DNR is stretched, as is the County – are we expecting an influx of dollars to monitor the vehicles and fire dangers?

I also wonder where are the resources to monitor motorized use in the Foothills in terms of noise pollution, emergency response, litter, law enforcement. Are the county and state prepared to budget for sufficient officers to patrol the areas, provide emergency assistance and prevent wildfires?

And last, but not least, what about the disruption to the wildlife in the Foothills? There are many wild animals that would be disturbed by the noise, smells and habitat disruption of the forest. We have observed elk, bobcats, cougar, coyotes, deer, bear and many other smaller animals – a quiet and undisturbed forest gives these animals a chance in our crowded world.

So much of our world is accessible by motorized vehicles – let's keep our Foothills free of motors, noise, air pollution, fire danger and wildlife disruption. Please amend the proposed Baker to Bellingham plan to allow only non-motorized recreation on DNR lands in Whatcom County.

Thank you for your careful consideration of this issue.

I support the Committee's Concept A, especially it's proposal to have motorized areas on Sumas and Red Mountains.

Whatcom County has a great need for legitimate motorized recreational areas. Having designated, technically challenging areas of sufficient size will make riding safer and make it easier to regulate for environmental concerns. It will also increase the feeling of ownership, encouraging people to take care of "their" areas.

It's great that the Committee is really considering supporting ALL forms of sport in Whatcom County. As someone who enjoys many forms of recreation, I look forward to sharing space with both motorized and non-motorized enthusiasts.

I am emailing to voice my support and request your support in the use of motorized vehicles in the Whatcom County trails. As an avid Jeepster, I have worked many hours with the DNR in Skagit County, helping to keep the trails clean, the signs readable, and other motorist educated on trail usage and how to tread lightly on the trails, whatever we bring in, we take back out . I know myself and many others in our Club would appreciate another motorized recreation area in Whatcom County. Thank you for taking time to read this.

My wife and I are heavily involved in the off-road community, and spend time not only enjoying the outdoor recreation areas, but also participate in clean up events, trail repair, trash pickup, tread lightly education, DNR education, and so much more. It would be great to have another area to enjoy and support, in the Whatcom county area...

Please consider this as a viable area for more ORV recreation!

I am opposed to motorized trails systems on commercial forest lands in Whatcom County. Every day it seems like I think of another reason that motorized trails are a bad idea, so I decided I am going to just start emailing you those ideas as they occur.

Here are my thoughts for today;

1. Looking at the current proposal for motorized trails on Red and Sumas Mountains, I am thinking about the cougar and bears that live on both of those mountains. My family also lives on Sumas Mountain, and for almost 30 years have been able to coexist peacefully with both of these large predators which we frequently see on our land, but which are always just "passing through." How will extensive motorized use change that dynamic? There is no situation where I can see motorized use either improving the situation, or even keeping the equilibrium. I think either one or both of two possibilities will occur. Either, the increased motorized access for hunters will decimate the small population, OR it would push these predators down into the valley onto farmlands and homesteads. Both of these are negative outcomes in my opinion.

2. If the County were to grant a conditional use permit for commercial forest lands on DNR property, what kind of precedent does that set when other large, private timberland owners want to do the same thing in the future? If the DNR can put motorized trails on Sumas Mountain, why shouldn't Sierra Pacific be able to do the same on their land (and even charge for access)?. Granting a zoning amendment, for motorized trail development, to even one commercial forest owner, is a slippery slope that I oppose.

There are Marbled Murrelets on Sumas Mountain. Motorized use itself may or may not be proven to impact these birds, but the corvids (ravens, crows, jays) that are attracted to the garbage left by ORV users absolutely impact murrelets! My husband and I already pick up huge amounts of trash on the illegal ORV trails behind our property --and that is just the trash generated by the very small number of users who are willing to ride the east side of Sumas illegally. How much more impact will the garbage generated by the continuous use of a destination ORV development have on murrelets?

My thoughts for today. Thanks for listening.

I fully support motorized recreation in Whatcom County. I also support local ORV parks and their rules and regulations, as a member of a prominent Jeep Club in the Snohomish county area, We responsibly enjoy off road areas all around Western Washington and Eastern Washington. It is a great way to spend time with family and friends. Teaching skills a disconnecting from electronics.

As a club we spend thousands of hours per year volunteering to help non-club members obey signs and regulations. We hand out trash bags to make sure the area is cleaner than we found it.

We donate hundreds of hours to help other recreation areas to (maintain ADA access, water quality, road maintenance, sign maintenance, etc..) and will certainly help in Whatcom County.

Opening a new recreation area will help alleviate some of the heavier traffic Walker Valley has experienced and allow many other families share the joys of motorized fun

I'm writing to show support of the Concept E of the Baker/Bellingham recreation area plan. There is essentially only one ORV area between King and Whatcom counties, and it's seeing heavy use. More legal areas to ride would be great.

Attached are copies of two letters in response to DNR's docketing request regarding ORV trails, one from me and one directly from a member of the Friends organization. Paper copies are being mailed to you today. Please let me know if you encounter any problems in transmission.

A retired bear viewing and hunting and fishing guide, bought a home in Whatcom county near Deming a couple of years ago. Previously, I lived in the Alaskan bush, in the villages, and in the cities for close to 30 years. Off road vehicles, boats, airplanes were used but mostly we traveled on shank's mare or pulling an oar while floating hundreds of miles of rivers.

However, Washington is not Alaska. Most of the land is Washington is, in my estimation, after living and guiding in the Sierra Nevada Mountains and the Rocky Mountains and Alaska, all used up. The small amount of pristine land left in the state of Washington (to quote Roman Dial, a world wide explorer, whom I know) "A hungry man could walk across in a day or so."

I have no problem with trails that are not in pristine areas to be available for ORV's. However, even in South Central Alaska, near the major population centers (where most people live) like Anchorage, the Mat Su Valley (Wassilla, Palmer) and the Kenai Peninsula selected areas permit the use ORV's. Unfortunately where they are allowed the land is a disaster. Some of the trails, so to speak, have been eroded wide enough for a herd of elephants to go six abreast leaving nothing but deep mud and denuding the land of vegetation resulting in land erosion to a fault. And if that is not disaster enough: used oilcans, spent cases of rounds fired, and miscellaneous trash litter the areas. It is disgusting how much disrespect some people have for our land without regulation and enforcement. Unfortunately that disrespect is most evident where ORV's are permitted, but of little evident in areas where people walk, often with children—like my two grand children—cross country ski or just enjoy the quiet and the solitude.

My grandkids, 3 and 6 years old, love to walk in the woods. It may take us 6 hours or so to go two miles but they don't miss a thing on the way from a bug to a leaf.

I have Sumas Mountain as my back yard. My neighbor, his father a homesteader on the land his son and grandson still live on, rides his four-wheeler on Sumas Mountain. I have no problem with limited use of ORV's on those logging roads. However on my first trip up on Sumas mountain I found garbage: discarded cans, spent ammunition, various man made debris

including a pile of un buried excrement by one of two of the only large Doug Fir trees left on Sumas Mountain and I said welcome to Washington and shook my head. So did my neighbor, as he knows Sumas Mountain after a lifetime of appreciation.

HOWEVER: In Whatcom County we do not need any more off road trails. I am adamantly opposed to this zoning amendment PLN-2018-0004.

Greetings--I sent the below email to DNR and am told you also are ones I should send my concerns to in this process. Thanks.

I spoke briefly at the meeting held at the Deming Library on 9 Jan., hoping you are considering impacts on local fire departments in your planning discussions, but wanted to put those comments in writing in case they were not recorded. I am not speaking as an official representative on any of the affected fire districts, but as a very active local Volunteer Firefighter/EMT, I want to strongly suggest that you seek the perspective of those affected volunteer fire districts on your proposed encouragement of heavy ORV use within our response areas. You may not be aware of how frequently we currently respond to ORV incidents here (they are toned, appropriately, as "motor vehicle accidents") and how difficult it can be to locate, access, and extricate these patients, often with limited personnel available (often with serious injuries--one of my first calls as a volunteer firefighter involved CPR on a juvenile who, on a family outing, had run off a remote section of logging road at very high speed, hitting a tree while in mid-air--the patient did not survive.. I have been on many, many of these calls since). There is no cellphone coverage in many of the areas you are proposing "trails" and word usually comes to our dispatch garbled and second hand. Needless to say, this is a very dangerous "sport," which encourages driving in very dangerous terrain at high speed and often involves children far younger than driving age (for drivers on SAFE roads). If this type of use is encouraged and abetted by a state agency (with obviously, from our experience here, few resources to monitor or police it), it is absolutely undeniable that it will heavily impact local fire departments that are already strained to handle the ever increasing EMS calls for our resident populations. We already see this type of impact with our need to respond to, and often devote resources to lengthy transports, for ski area injuries and traffic incidents (often involving non-local patients). And then there is the increased fire danger aspect which I heard many citizens voicing during the public comments. Obviously, fire risk is increasing in our state and our area, so adding another way for fires to get started in these difficult to access areas makes little sense. Local fire departments are increasing their efforts to be able to respond to wildfire and urban interface fire threats here, but the fact is we are NOT the ideal agency, and do not have sufficient personnel, to deal effectively with increased wildland fire threats. My experience on these fires locally so far tells me DNR is often far too overtaxed on other incidents already and understaffed to respond rapidly to these incidents and they expect us to "do what we can" for far longer than should be expected of small local fire departments primarily geared for structure fire response.

I will only add that I also have worked for both USFS and NPS on fire crews and for 25 seasons as a fire lookout. On a 5 mile trail to my last USFS lookout, there was a 2-mile portion of trail that allowed for ORV (motorbike) use--it was an incredibly trashed and abused piece of the trail system, with terrible erosion and, of course, lots of "side trails" and habitat destruction and illegal campfire sites surrounding it. The FS trail crew had essentially given up on it. Somehow you think your state agency will do a better job of policing and maintaining these remote local trails? I'd like to hear your plan for that before you blithely give the okay to a vocal (and primarily non-local) minority who believe their recreation "rights" (rights that happen to affect all of us here in the neighborhood extremely adversely) trump all of our rights to enjoy this place we live in because it is quiet and allows the survival of natural habitats. I remember distinctly my sixth grade teacher, Mrs Fricker (1966), teaching us the concept of "rights" by holding up a finger in front of her face and explaining that a citizen's rights are sacred until those rights reach out and poke YOU (finger jabs dramatically at her nose!)--then they have crossed a line and abused their rights. This "sport" fails the Mrs Fricker test on "rights" for all of us in this part of the world who chose this place for reasons that this "sport" fundamentally erodes with incredible noise and destruction and profound burdens on local fire, LE, and your own state agency (if you do plan to maintain, clean up after, and police this large new population you are inviting to our neighborhood). Thanks.

I'm emailing to voice my support for the inclusion of ORV recreation areas on DNR lands of Whatcom county. First some clubs that participate in use are a huge resource for volunteer trail maintenance and construction. I feel that this does offset increased wear from the use of vehicles on multi use trails. Secondly word of trail closures, restrictions, and rules spreads quickly through the community and the vast majority of ORV users are happy to cooperate. Lastly I feel that where it is feasible and does not negatively impact other members of the public, Whatcom county residents have a right to use public lands for recreating in whatever form they choose. I hope that you will include the ORV recreation community in the planning process and embrace the tremendous volunteer resource available to you.

I personally like option A and E and think they would give the most area of recreation to all types of users.

I am in support of this project to plan and implement DNR recreational areas in Whatcom County. I specifically advocate in favor of developing specified ORV recreational areas and trails in this plan. I think this would actually balance the various concerns I've read in comments from other people.

In particular, planning and designating specific motorized trails keeps the motorized recreation into specific corridors, and keeps it from becoming a disorganized free-for-all. As some have noted, without current sanctioned ORV trails, the area is used—and it can become more of a “free for all”, with unplanned and poorly placed trails that accelerate erosion. When trails are planned, issues of poorly placed trails and erosion risks are minimized—and often prevented.

Concerns have been expressed regarding illegal dumping of trash as well as other illegal activities. The experience in other areas with ORV recreation has actually been that ORV clubs adopt trail systems, have organized clean-up events, work with DNR to maintain these trails (actual “elbow grease”), and just by the very presence of the ORV recreators, illegal activities are curbed.

In summary, I support the efforts and planning to provide for motorized ORV recreation in the proposed areas.

I object to any and all Off Road Vehicle (ORV) recreational area development on DNR lands on Red Mountain and Sumas Mountain in Whatcom County. None of the stated options on the DNR's website are acceptable, as all include ORV development on Red Mountain and Sumas Mountains.

I would further object to the rezoning of DNR lands to permit development of ORV recreational areas.

I would support: hiking trails, running trails, horse trails, llama trails, pack goat trails, bicycling trails, hang gliding, parasailing, bird watching, and wildlife viewing. These would all benefit the public of Whatcom county, including the citizens who live in the surrounding area.

Reasons For Objections For ORV recreational area development:

1. Fire safety
2. Physical Safety and Private Property Concerns on Private lands that border the DNR
3. Noise Pollution: its effects on humans, wildlife, and tax revenue
4. Danger to local communities from disrupted large carnivores.
5. Harm to our salmon bearing creeks
6. Nesting and Reproductive Habitat for birds including endangered and threaten species.
7. Loss of Tax Revenues for essential services should the DNR lands be rezoned.

Detailed Explanation of Concerns

- 1) Fire Safety:
DNR lands on Red Mountain and Sumas Mountains are surrounded by private property, including two large communities with limited exit routes.
One of the fires on Red Mountain in 2017 was believed to have been started by ORV.
The local fire department has not been contacted regarding the ORV proposal for Red and Sumas Mountains. They have limited funds.
The DNR is responsible for fires on DNR lands. In 2017 there was only one DNR fire truck available for local response.
Response to a fire is thus limited, and the number of people, and private property is great.
- 2) Physical Safety and Private Property Concerns on Private Lands that Border the DNR ORV users have a tendency to stray from designated areas and threaten private property and individuals.

The Sheriffs Department has stated that incidents on DNR land are the prerogative of the DNR law enforcement personnel. Local law enforcement will responded as needed, but what happens on the DNR lands is DNR responsibility.

DNR response time is even more limited than our stretched local law enforcement

Personal Examples of Citizens Danger:

ORV users have come through the DNR lands and trespassed on my property numerous times, confronting me as I worked.

ORV users broke into and robbed a neighbor's equipment locker.

An ORV user on a DNR road fired shots into my land, narrowly missing me. This followed my call out to him that it was private property and the only things moving were my goats, my dogs, and myself.

ORV users have come through the DNR lands and used and harmed the private road that services 5 properties.

- 3) Noise Pollution – affects on the public, wildlife, land value and thus tax revenue.

ORVs make noise, a lot of noise.

The people who live adjacent to the DNR lands would have their peace disturbed both day and night.

Private property, other than timberlands, under noise assault would lose its property value.

A loss of property value would reflect in a loss of tax revenue.

Wildlife, including large carnivores, would be displaced by the increased noise that would far outweigh the sounds of normal timber operations.

4) Danger to local communities from disrupted large carnivores.

Large carnivores roam Red Mountains and Sumas Mountain. These include bear, cougar, and coyote. The noise caused by ORV users in both day and night would cause these carnivores to seek new areas.

The areas adjacent to the ranges of these carnivores include private homes, farms, and two substantial communities.

Large carnivores that are left with no territory except the private yards and farms can be a danger to the public.

5) Harm to Salmon Bearing Creeks

The creeks, seeps, and springs on both Red Mountain and Sumas Mountain feed the salmon bearing streams that are found on both mountains.

Disruption and pollution of the creeks and streams on the mountains would affect the habitat and the spawning abilities of salmon in the creeks and rivers fed by these waters.

The area is of "low suitability due to creeks" in regards to "Recreation Suitability – Single Track Trail (motorized,) Double Track Trails and Facilities", according to the DNR's maps (on-line).

There seems to be No Planning on How To Protect creeks, seeps, and springs in the DNR's planned ORV development.

Diesel fuel, gasoline, and oil run-off would increase with ORV use, well above those of that timber operations.

There is No Planning on how to Limit the ORV Riders to the Designated Areas.

The tendency for ORV users to leave designated areas has the potential of disruption of streams, and excessive erosion and run-off.

6) Nesting and Reproductive Habitat for birds, including endangered and threatened species.

Native endangered and threatened species, as well as bald eagles and other raptors nest on Red Mountain and Sumas Mountain.

The noise and pollution from ORVs would disrupt their breeding and ability to raise their young.

7) Loss of Tax Revenues for essential services should the DNR lands be rezoned.

Essential services from our schools to the fire department are financed in part by revenues from timber operations on DNR lands.

Rezoning of DNR lands for nonagricultural use would change that tax base and probably reduce the amount of funds raised.

An Array Of Positive, Non-Motorized, Recreational Uses:

Hiking trails, running trails, horse trails, llama trails, pack goat trails, bicycling trails, hang gliding, parasailing, bird watching, and wildlife viewing would all benefit the public of Whatcom county, including the citizens who live in the surrounding area. These NON- MOTORIZED recreational uses area could boost tourism, increase commerce in our area, and raise tax revenues.

I wish to be as clear as possible with my concerns regarding the Proposal for the Off-Road Vehicle Motorized Trails In Whatcom County. To that end, I am structuring my letter in a way to simplify my concerns and to be as direct as possible. I also wish to preface my remarks with stating I & my husband have been ORV owners/riders. We are not opposed to these trails as a whole, but rather as presented In your proposal.

Concerns:

Noise. This proposed project will disrupt the natural quiet of DNA lands.

Residents: This is a rural area where residents have located for the quiet. Such a project will disturb the peace & cause stress on the residents.

Existing Recreational Opportunities: The family friendly campgrounds, the lake, the equestrian campground, the trails, etc...

Fire Risk. This proposed project will dramatically increase the risk of wildfire in the area. We only have one fire station in Maple Falls, depending upon the access road chosen this station is a minimum of 6 miles to the access road. This area is filled with natural fuel for wildfire and there are extremely limited evacuation routes for the residents and vacationers who frequent the area. It is worth noting the last wildfire in our area was most likely started by a motorized ORV.

Strain on Emergency Services. Again we only have one fire station & limited EMS for our area. This proposal will increase the strain on sparse services. We in Whatcom County have already seen a tax increase to maintain minimum response. Our resources are too thin already. We rely heavily on volunteer involvement to simply protect current residents. I have first hand experience of dealing wftth Injuries involving motorized ORV accidents and providing first aid while waiting for EMS to respond.

Conflict with existing Recreational Uses. In a very real way the impact of this proposal will diminish existing uses in this area. The obvious impact on the equestrian campground is alarming. This campground at Silver Lake is a unique recreational opportunity in our county. It upholds the historical link between people & horses in our County. At Galbraith Mountain Trail on Sammish Way, the increase in motorized ORV use has severely diminished equestrian use. The safety conflict is obvious. And the noise, exhaust fumes will have a more subtle, but still negative effect on those camping, hiking & fishing In the area. Another concern is the traffic impact on Silver Lake Rd. Especially in the Spring/Summer/Fall months, this road is heavily used by cyclists. As it Is, the road does not offer a safe bike lane for cyclists. To add vehicles towing large trailers will only add to the hazards for cyclists who rove to use this natural area.

Suggestion:

1. Choose a more appropriate site where existing recreational activities will not be negatively impacted by this addition, and where you are not disrupting the way of life for residents.
2. If you wish to improve the access to this area for recreational use, choose to spend the money enhancing the existing opportunities (Ie. a bike lane for Silver Lake Rd or mountain bike trails). It is poor planning to spend resources bringing in a recreational activity that is in conflict with the existing.

I am from Nooksack. I wish to express my opposition to the proposal to greatly increase ORV use on DVR lands. The neagtive environmental ipacts of this preposal are evident. The effect on the quality of life for residents would be considerable. The peace and quiet and majestic solitude of these precious hills and valleys would be compromised. It would even affect tourism greatly. Please reject this proposal for the sake of the future of this lovely area.

Thank you.

For a number of reasons, I am opposed to any motorized vehicles in forest lands.

Some of my reasons include the impact on various threatened species, increased erosion and the problems associated with it, the negative impact on other (non-motorized) uses, including making those areas less appealing and potentially unsafe for hikers, bikers, bird-watchers, etc.

Please consider my input when making important decisions about these valuable multi-use areas. And please help us protect the beauty of the forest for all, not just for the few with ORV's.

I unequivocally oppose zoning amendment PLN 2018-0004, to allow motorized trails systems on DNR commercial forest land in Whatcom County. I strive to hike and walk in the woods without bicycles and dogs, never mind motorized vehicles. That's why I travel 20 minutes each way by car to walk the Stimpson Family Reserve Trails. Please DO NOT open up ANY other trails to motorized vehicles! This is a fire hazard and a gross imposition on humans who NEED nature to revitalize themselves.

I am writing today to express my concern and utter dismay in your proposal's to create Off-Road Motorized Vehicle Parks on Red Mountain and Sumas Mountain.

I am a landowner and have resided at 8322 Silver Lake Rd for thirty years. I am strongly opposed to your proposals! While I do think there should be an area for this recreation sport, this is not the right place! These are quiet residential area's teeming with wildlife. I regularly have deer, cougar, bear, coyotes, bobcats, and most recently a pack of wolves on my property. In front of my home is a wetlands area that attracts many wild birds.

Last summer we saw many displaced animals from the logging on the DNR land on the West side of Silver Lake RD.

You have now clear-cut the bank opposite my home and I wonder when it will slide across Silver Lake RD into my field. The entrance at this location would give the parking lot an aerial view of my property. I would have no privacy on my 17 acres. I would feel very vulnerable.

The Silver Lake Road is narrow and very dangerous. Already the rock trailer trucks from the quarry and logging trucks abuse and hog the road. They drive too fast and over the yellow line. There are accidents often in front of my home. In the winter the Silver Lake Road is one of the last to be plowed. Very often there is black ice lingering in the shadows. In the summer RV'S, horse trailers, camper's and boat trailer's, exacerbate this problem. This is also a favorite road for bicycle riders. We do not need more large vehicle traffic on this narrow road, without bike or pedestrian lanes.

The last 5 years we have had hotter and dryer summers. I had to water my garden everyday this summer. The Canadian wild fires on the border brought us much smoke and fear of our homes burning as well. One spark is all it takes! Our volunteer fire department and medics are already stretched to the max. They do not have the manpower or resources to accommodate the possible influx of these off-road vehicles from our country as well as the Canadian's that are just over the hill.

The Mt Baker highway 542 is one of the most deadly roads in the county. Drugs and alcohol impair one driver in seven. We were told they would construct passing lanes from Bellingham to Maple Falls and they built roundabouts. Roundabouts have helped, but the traffic on HWY 542 is extremely dangerous with trucks, campers and speeding ski traffic. There's very little police enforcement of this road.

Hwy 9 from HWY 542 to Cook Road also has too much tractor-trailer activity as well. Head on collisions are usually deadly! These road conditions make it more and more difficult for the residents of the area to commute for jobs, school activities, groceries and entertainment.

The ORV's who use these old logging trails do not stay on the original trails. They build jumps out of logs and jam the creeks. They leave their litter! They make a lot of noise. The kind of noise that is offensive if you want to go for a quiet nature walk or work in your garden. They install cameras to see who uses the trail.

Most of the people, who live here, come for the pristine nature, quiet and privacy. They revere their solitude, as spiritual, they respect the land. Many are artists, writers and teachers. We are living quietly with nature and Off-Road Vehicle Parks would be a conflict of interests!

In the past we have had socio-economic problems in the Paradise area this will only exacerbate this issue as well. More people more problems more crime!

There is no cell phone coverage for this area, which could prove dangerous in the event of accidents.

Lastly, I am concerned about the decline in my property value. I can no longer go into Bellingham and pursue equal housing. The prices have risen there so much. I do not want my property values to go down, because you place an ORV parking lot and trails across the street. As long as my quality of life is not destroyed I plan on staying here indefinitely. Please do not drive the good people of this community away. Please go and see the areas proposed. Do not rely only on maps.

If you are not careful you may turn the entrance to our Mt Baker National Forest into a seedy area like many of the national parks have today.

I adamantly oppose Off-Road Vehicle Parks in the Red Mountain and Sumas Mountain areas. I am a college educated professional.

I have been a resident of Whatcom County for over 30 years and my husband and I have raised 2 daughters along the southfork of the Nooksack river.

I am sending this email to each of you, in strong opposition of motorized trail development in the Bay to Baker Recreation Plan, allowing ORVs in our forest sites throughout Whatcom County. Please stand with the majority of county residents who oppose this particular part of the plan. Current zoning protection laws must not be amended in order for this type of recreation which would basically hinder or halt ALL other forms of recreation.

While there is understanding for the desire of a specified place for ORV'ers to recreate, this plan allows much with very little to no enforcement of an already imbalanced plan. It should not even be allowed on the docket in its current form.

Motorized trail development will effectively close the zoned forest to anyone BUT ORV users, while protecting forest sites from motorized vehicles allows every other type of recreation to take place.

We need our sacred spaces, our quiet places, our unhurried places in the forests, whether "owned" by DNR or not. More than ever, we need you to protect what little is left.

Please register my unequivocal opposition to zoning amendment PLN 2018-0004, to allow motorized trails systems on DNR commercial forest land in Whatcom County. I also oppose motorized trail development as part of the Bay to Baker Recreation Plan.

I am co-owner of 40 acres just south of Acme, WA, with adjoining WA DNR land on many sides, as well as DNR land adjoining neighbors' land. About 10 years ago or so the Mt. Baker Motorcycle Club purchased a parcel of 10 or more acres in the vicinity of this area. They have regularly disregarded DNR rules about using ORV's on adjacent DNR roads and illegally constructed an ORV trail from their land up through other private and DNR land to connect to an old DNR access road running North-South above (West of) our properties. One time I walked this trail and noted how significant of a negative environment impact this trail left on their and DNR land, because it ran practically straight up a steep incline and the trail itself was very deep, with no checks and balances to prevent erosion during heavy seasonal rains. This group uses this trail even during heavy rains, which means they are not only negatively impacting the local environment adjacent to their trail, but also ravaging the DNR road which is West of our collective properties. In the past I have contacted DNR officials via their cellphones to alert them about illegal ORV use on this road (during weekends). They thanked me for doing so and encouraged me to continue such citizen watch over DNR public lands.

While this legislation may not directly and immediately open up the DNR land above our property to ORV use, it sets a dangerous precedent. I understand there needs to be some place for ORVers to ride, but forest land is not the right place to direct them.

Not only does ORV use represent a harm to pristine land ecosystems, including rare and threatened wildlife species, on DNR land near our property and elsewhere (in Skagit and Whatcom Counties) but ORVers could easily cause a forest fire above our and neighbors property that could quickly spread during the hot and dry season. Fire hazard from reckless ORV use represents a real and imminent danger elsewhere. Plus, the noise from ORVs violates our (and other's) right to quiet enjoyment in this and other rural settings.

Please resist pressure from small minority ORV groups to allow such adverse impacts and legislation. Northwest Washington forestland is unique, precious and should be carefully managed and protected for future generations of humans, wildlife and other species, for it is an oasis on an already ravaged planet earth.

I'm a long time Kendall resident who hikes and mountain bikes on DNR land for eye therapy, spiritual practices and for general love of nature, wellness and peace of mind. I can't drive, so I can't access far off trails. I already have to ride farther and farther to get away from the piles of trash the local ORVers dump on the local trails (that sometimes incl. mattresses, soon shredded big bags of trash and on rare occasion, dead animals). My and my fellow hikers' need to connect with nature is disrupted whenever we run into guys tearing up the soil and driving away the wildlife with their noisy, smelly, ATVs or dirt bikes, leaving empty

beer cans and deep ruts and big potholes that become impassable when it rains. Having many more ORVers, and having them come from far away, and not having any stake or connection to the area they're having their fun in, would deprive the rest of us from having places to hike and bike. We can't allow a very vocal minority to ruin our public lands for everyone else, even if they do buy a 6-pack or two at the local gas station on the way out.

Opening up DNR land to more ORV use would be a very expensive enforcement and safety nightmare, unavoidably producing more backcountry accidents, fires, fights, thefts, and other crime, which our first responders don't have the funding and infrastructure to address. Not to mention, ORV recreation is incompatible with every other current use - hiking, cycling, horse riding, dog walking, mushroom picking, even with our same local kids riding the bootlegged trails with their little siblings holding on to them. Even with the limited, local, and illegal use now, running into the ATVers is an Oh No moment and I have to immediately get off the trail and reconsider my route.

One summer, I was hiking around Red Mountain and heard a loud, obnoxious and drunk- sounding group of dirt bikers (moto crossers?) stopped up ahead. They didn't seem like the local kids. I usually have a good intuition and don't overreact when it comes to protecting personal safety, as I'm a young single woman who mostly hikes alone. With these guys, I had to hide in the woods and observe them until they got done bragging and downing, and then throwing down beer and liquor bottles and snack trash, and roared off towards the other side of the mountain. They never saw me.

These guys seemed like a bunch of drunk, testosterone-filled conquistadors and the time I spent observing them made me wonder if it's the sport that makes them disrespectful, reckless, and completely unconcerned about other trail users and the damage they do to our forest lands. I know ORVers are just as human and therefore, as complex, as the rest of us, but the act of moving thru nature quietly, attentively, propelling yourself forward by your breath and muscles, has a way of balancing and quieting down the mind, opening it to a sense of contentment and awe that us humans instinctively feel when out on the land. We had that feeling for millions of years. This naturally allows for shared and respectful use of the land long into the future. It's the polar opposite if you and the boys are ripping thru the streams and mountains on powerful, noisy ORVs, all jacked up on peer pressure and liquid courage. That naturally creates a sense of domination and, until you crash your vehicle, invincibility. Bringing booze along and riding under the influence sure seems a part of the ORV experience, and many riders will probably be packing heat as well. What can possibly go wrong?

Thank you, Dana, the comment is attached under its Whatcom Co PDS file number. Please consider it in your deliberations.

I am a 40 year resident and tax payer of Whatcom County. I am very much opposed to the amendment PLN 2018-0004 to allow motorized trails systems on DNR commercial forrest land in Whatcom County.

In my opinion, such development is not consistent with our responsibility to guard and protect our natural, highly valued and most beautiful Whatcom County forrest lands.

I absolutely oppose zoning amendment PLN 2018-0004, which would allow motorized trail systems on DNR commercial forest land in Whatcom County. I oppose this for the following reasons:

We have a family with children who walk and bike on North Fork Road. In the past when our "dead end" road was used by people for motorized recreation it created dangerous conditions for residents.

Many of the drivers speed; some are driving drunk or high; and because they don't live here THEY DON'T CARE.

My profession is in Community Health. In my field we are constantly reminded of the long-term impacts of obesity and the need to promote regular, vigorous physical activity. Sitting on an ORV is not the kind of activity we should be promoting. Use of public lands is best suited for non-motorized recreation activities (hiking, mountain biking, horseback riding) that contribute to personal, community, and public health. More later...

I wanted to voice my support for the Baker to Bellingham plan to include an area for ORV recreation for motorcycles. I full heartedly believe the community would be appreciative and respectful of a designated riding area in our county. I would be happy to bring my kids to work parties and to help maintain trails they were able to ride. I believe this is a great family outdoor recreation sport and that a recreation park would be a positive thing for our county and its members all around. Please include ORV recreation in your plan!

I am writing you in regard to zoning amendment PLN 2018-0004 or The Bay to Baker Recreation Plan. While I am in favor of sharing the outdoors with the vast majority of users, I am not in favor of or okay with this proposal allowing ORV use.

I personally am in a minority group of outdoor users. I pack with llamas and have done so in areas within Montana, Colorado, Oregon, Idaho and Washington. During this time, I have had the unpleasant experience of running into ORV individuals or seen the aftermath of their using wilderness areas. Frequently, I have had to pack out garbage left behind by them. In addition, it is hard to walk through the mud puddles and ruts they create with their motorized vehicles. You would be hard pressed to even know my llamas were there. We leave no impact on the trails.

ORV users by nature like to go where nobody has been or where they should not be. This is part of the "Thrill" that they enjoy. I attended a llama packing event in Godman Springs, Washington several years ago. https://www.fs.usda.gov/recarea/umatilla/recarea/?_recid=56743 While there were areas sectioned off for the ORV folks to use, they were on the off limits area the whole time. It was not enjoyable having to walk off trail the much of the time to avoid potholes, mud puddles and deep ruts. There were no rangers or DNR folks around to address this situation and it was 30-45 minutes up to this area for a ranger/police.

One of our group commented to some ATV people that they were not supposed to be on the trails we were. What ensued was a bunch of drunk ATV people later looking for this individual who ended up being quietly exited out of the area in the back of a llama trailer.

They had guns and were completely out of control. I haven't been back since this experience and I understand they had a fire there shortly after I was there.

The areas in Whatcom County that are being proposed for use by ORV users are not a good fit with this type of recreation. We live in a remote area that has virtually no cell phone coverage up there. In addition, we have a volunteer fire/emergency group that is already strapped beyond their means. During the Summers, they have been covering some of the DNR areas already because of a lack of staffing and resources. Individuals who live in these areas are already being overrun with the local community ORV users that are trespassing, leaving garbage and causing damage. To date this has not been dealt with or controlled. Bringing in individuals with no vested interest in this area would compound this problem exponentially. People who live in those areas have chosen to live in a serene and tranquil environment, having this sort of activity would jeopardize that and their ability to resell their properties down the road. Putting it mildly, they did not sign up for this.

Living close to the Canadian border, we have a known drug epidemic in Whatcom County. The border patrol already has to use snow mobiles during the Winter and ATV etc. vehicles during the Summer to control this. By allowing massive amounts of ORV users in, this would muddy the water for their enforcement and work. Adding yet another layer to their already difficult job of patrolling an area this large.

Lastly, I personally also drive my llamas. There really aren't any areas suitable here for that. I travel all over to do this and extended packing with my llamas. It would seem like the ORV users can travel to more appropriate areas to participate in their sport. Areas that would cause much less of a strain on the local communities. If this goes through, I will no longer train and hike on the areas mentioned. The danger and damage caused by the ORV users would not be worth the risk.

Catering to a user group that ruins the experience for the rest of the user groups, does not make sense. People that hike, bike, etc. do not affect or hinder any of the other user groups. ORV users make it unpleasant for any of the other user groups that are not motorized. This whole proposal should not even be considered in Whatcom County!

I live in Custer, Whatcom County. I am writing to let you know I unequivocally oppose motorized trail development as part of the Bay to Baker Recreation Plan which will allow motorized trails systems on DNR commercial forest land in Whatcom County.

I feel this use of the land is incompatible with what most local residents expect from our DNR lands. I have been walking or hiking and been disturbed by ATV vehicles ridden illegally in areas of Whatcom County.

I watched while some unfenced land about a mile south of Custer was used and abused over and over by off road vehicles destroying the forest, cutting trees, creating mud and erosion that would run off in local streams. Even though I complained, there was never any enforcement. It was ubiquitous on weekends and holidays. Finally the land was purchased, fenced and access to these riders was denied.

We do not need motorized parks in undeveloped areas of Whatcom County especially if the intended riders are not local. We need wildlife habitat conservation and intact ecosystem functions. We need protections of wetlands, and streams and the salmon they sustain, restraint in developing geologically hazardous lands and

a stop to this endless need to develop recreation intent on destroying land, water and air.

These two proposed areas host Marbled murrelet habitat. A bird that is extremely vulnerable to disturbances. It is inappropriate to allow these noisy, disturbing machines anywhere near their nesting areas.

As I look down the list of members of the committee working on this recreation plan, I see mostly folks who represent motorized vehicles and wonder how you can plan for the majority of outdoor users like walkers and hikers when they are not fairly represented.

I cannot reconcile what Commissioner Franz wrote about reducing carbon emissions in farms and forests with a proposed plan allowing motorized vehicles in the Bay to Baker Rec plan.

How can you consider opening this area up to offroad vehicles with that stated intention?

I can't see how it's possible.

I'm a hiker and mountain biker and so is my wife and two kids. Please keep motor vehicles of all kinds out of this plan.

Thanks for considering my input,

I live in the Columbia Valley in between the two proposed ORV motorized trail areas. I am adamantly opposed to motorized ORV trails on forest land in Whatcom County.

I am shocked you would even consider such a plan and appalled that you would work so hard to accommodate a minority user group which has such a huge negative impact on not only local residents, but the forest itself.

Neither the county nor the DNR has the resources to provide emergency services or law enforcement for this kind of recreational use.

The increased fire risk to the tinderbox dry forests we have experienced these past few summers should have made this proposal a no go before it even got off the ground! The thought of hundreds of ORVers zipping around our backyards emitting sparks, shooting off firecrackers, scattering cigarette ash, building campfires and firing guns is beyond frightening. Yes, there is always risk of fire, but to deliberately increase that risk a thousand fold purely for recreational purposes is not only irresponsible, it is unethical.

Even if you have no concern for the danger you are bringing to our homes and communities. How can you justify the many hundreds of thousands of dollars in marketable timber which the DNR stands to lose if even a small fire gets going up here?

It is your duty to protect our natural resources, not encourage usage which puts those resources at risk. Please do your duty and reject this plan.

The ORV community is well organized and vocal and have had two years to work on and become cognizant with this issue. The local residents only became aware of this plan three weeks ago. So right now you are hearing mostly from the ORVers but you will be hearing more from us as we get up to speed.

I live in Whatcom county, and unequivocally oppose zoning amendment PLN 2018-0004, to allow motorized trails systems on DNR commercial forest land in Whatcom County. I fully appreciate the beauty of our county and its non-motorized and healthy recreation opportunities. I am an avid hiker and am apposed to motorized use of trails. Please oppose motorized use of trails on forest lands in the Bay to Baker plan.

Thanks for considering my comments,

Thank you for allowing public comments.

I really like the Concept E with the large Double Track Trail System. This would be a great resource for responsible offroad users.

I fully support motorized recreation in Whatcom County. Pick some of these fun lines:

As a member of a prominent Jeep Club in the area, ASJC e.g. we responsibly enjoy off road areas.

we are members of Tread Lightly and spend thousands of hours per year volunteering to help non-club members obey signs and regulations, I have personally spent approximately 40hrs at my local ORV Recreation Area's

we hand out trash bags to make sure the area is cleaner than we found it.

We donate hundreds of hours to help other recreation areas to (maintain ADA access, water quality, road maintenance, sign maintenance, etc..) and will certainly help in Whatcom County.

Opening a new recreation area will help alleviate some of the heavier traffic Walker Valley has experienced. This will also allow locals and tourist to learn and experience more of our AMAZING PNW.

Ultimately, after picking up trash and driving around, I like to go to the nearest town and enjoy some supper with my friends, gas up, get some snacks for the trip back, and head back home. I realize now that this actually extends my hobby to the local economy in ways I hadn't considered before.

First I would like to congratulate the members of this project for all of there hard work to this point. There dedication to the creation of opportunities for areas where all members of the public and enjoy recreation is appreciated. Everyone has very busy lives and so far as I am concerned they deserve some recognition for all of the hard work.

With that being said I would like to offer my support for options A and E as they both appear to provide all of the different recreation user groups with areas to recreate how they choose. The growth of population of Washington state does seem to be slowing down and when people seek to recreate there needs to be areas where that can be done. A balanced plan would provide opportunities for all user groups to meet the need for recreation areas. Whatcom county seems to be an excellent area in which to create these new opportunities since there is very little to no recreation for some of the user groups who would benefit from this plan. I can foresee also that additional recreation opportunities in Whatcom county would be welcomed by local business due to the increase in commerce in the travel corridors to and from that recreation areas.

I happen to be aware of strong support from a few different groups who have organized public events for clean up in some of the areas in question. One group in particular (Rainer Ridge Rams) have been responsible for organization of clean ups over the last several years in a few of the areas included in the proposals. This action speaks to the concerns, support, and responsibility that this kind of user group can bring to a recreation area where they are permitted. In addition should the areas under consideration for recreation opportunities see a little more traffic there is a greater chance to catch illegal dumping and curb the practice. No user group wants to see garbage dumped in there recreation area and if people are frequenting an area it is less likely to happen. In short additional recreation areas will offer opportunities for people to police and report illegal activity that is already occurring and I hope will stop or at least help to prevent some of that activity in the future.

I look forward to either Option E or Option A being approved in order to provide new recreation opportunities and make Whatcom County a destination that all recreationalists can enjoy.

The Department of Natural Resources Recreation Planning Committee has been developing plans which presently include motorized vehicle parks on both Red Mountain and Sumas Mountain.

I am opposed to these sites being used for Off Road Vehicles (ORV) at these proposed sites because ORV's degrade the environment.

They deposit chemicals and fuel directly into the environment. They displace soil, creating soil compaction and erosion.

They increase stream sedimentation.

They devastate wildlife by cutting off food supplies, dispersing prey, and destroying habitat for animals. They cause air pollution, soil pollution, water pollution, noise pollution.

Here are facts I have uncovered about ORV's:

ORV's emit smoke, carbon dioxide, hydrocarbons, and particulate matter into the air. These are known to cause serious health problems, including cancer.

Two-stroke engines discharge 30% of their fuel and oil directly into the soil, which find their way into

underground water sources; thereby, polluting community drinking water and salmon streams. ORV vehicles have devastating consequences for ecosystems as weeds and nonnative plants adhere to their tires and are dispensed within the area.

ORV's are one of the fastest growing threats to the environment. They compact and erode soil, pollute the air and water, cause flooding and landslides and create barren land. They reduce wildlife life expectancy, decrease viable habitat, disrupt and displace wildlife from important breeding, calving and feeding grounds. The following wildlife have been personally seen in these areas: Small animals, birds (birds will not return to an area once they have been displaced), bear, cougar, coyote, deer, wild cat, beaver, raccoon.

When the world is turning away from the use of fossil fuels because of global warming, it would be a backward step to encourage more pollution be added to our wild places. Instead, I suggest that efforts be directed to continuing the enjoyment of all visitors who crave a quiet escape. Hikers are drawn to these areas and contribute to the local economy. They do not come here for the opportunity to drive ORV's; therefore, this may actually cause us to lose visitors who appreciate what we have to offer them—a peaceful, natural, healthy environment.

Washington's environment and mountain habitat need protection for the future. Once it is lost, we cannot get it back. I implore you not to move forward with motorized recreational usage on these sites. Thank you for your attention and consideration of this request.

We are property owners and reside near Silver Lake County Park. We chose this residence for the quiet environment and recreational opportunities. Silver lake is geographically located between Red Mountain and Black Mountain. This narrow valley amplifies and reverberates noises generated on either mountain.

The proposed DNR project as laid out involving trails to be used by motorized vehicles is a very disturbing idea to most of the population in this immediate area. The appealing nature of this locality is the peaceful atmosphere that would be adversely affected by the loud use of these ATV vehicles. We vehemently oppose any zoning changes allowing these loud vehicles.

Please, please reconsider how this type of recreational use would alter the atmosphere of this unique area of Whatcom County. It is wisdom that on Silver Lake no boat motor more than 9.9 hp is allowed. The wildlife, fish, and humans all appreciate the peaceful character of this environment.

The county and the DNR have NO resources, infrastructure or law enforcement to even begin to contain/control and regulate the kinds of problems this ORV re-zoning would bring into our county.

The greatly increased fire danger risk alone, during the summer as we have seen in the past few years, should take this proposal off the table. The ORVers are a minority user group who are very organized and

vocal and would have a huge environmental and social impact on our area.

Such proposed ORV activity would directly affect our quality of life. These very vocal ORVers have been working for over two years to try to make this happen, but local folks have only become aware of this in the past three weeks.

Our current county ordinances forbid this type of ORV usage on DNR lands. I ask you to keep it this way! For the DNR to attempt to change the zoning in our entire county to accommodate a minority recreational usage comes with huge risks to the community as well as the forests themselves. This proposal seems at best incredibly short sighted and at worst thoughtless and unethical.

I hold you as a public servant working for me, a taxpayer, to consider your fiduciary obligation to protect the public interest, public trust and nature's trust. Please do not change the zoning laws in place to protect our forest lands.

Because of fire danger, nuisance noise, and danger to pedestrian forest users, I **oppose** PLN2018-0004 zoning amendment which would promote offroad vehicle trails .

Please support the recreational use of motorized vehicles on the DNR lands in Whatcom county. It's a great family activity and I know that groups like the Ridge Rams do group clean ups to help keep our mountain trails clean & safe.

I'm a Jeep Club member from Shoreline, WA and fully support a motorized recreation area in Whatcom County. I have not visited the area much but look forward to exploring new towns, campgrounds, hiking trails, and most importantly the forests that Whatcom county has to offer. Our club already helps at Walker Valley and I feel confident the same will happen with a new recreation area. This kind of involvement of Clubs has a very positive impact on the local community, fosters civil involvement, and allows us to enjoy our great state of WA.

Thank you for accepting my comment into the public record for the Bay to Baker Recreation Plan. I am very excited about expansion of trails in Whatcom County and am an avid user of existing trails. Therefore, I was very interested to learn of this plan.

However, I would like to register my opposition to allowing motorized trail access on State Forest land as part of the Bay to Baker plan. I acknowledge the usefulness of ORVs in lots of settings in rural areas — but NOT on multi use recreation trails where they preclude other types of users like me who want to walk, run, and bike.

This letter is written in opposition to an amendment for ORV trails on DNR lands.

Our property borders DNR land and consists of 108 acres on Sumas Mountain of which 58 acres is commercial forestry.

For over 14 years we have experienced destruction, loud noise, unsafe rifle and handgun discharge, illegal trail building, illegal cutting of live trees, destruction of fish-bearing streams, criminal activities, poaching and trash dumping on my property and on the adjoining DNR property. This has all been directly related to ORV (motorcycles, dirt bikes, ATVs, quads and 4x4 vehicles) operators and their access to DNR land.

Three years ago DNR was preparing to log the Sumas Mountain above our property and asked for permission to use our access road to research streams, land composites and tree size and type. We granted this permission freely and asked that the DNR help decrease the amount of destruction on our property from ORVs. As part of the DNR logging preparation and with our permission, a huge mound of trees, rocks and debris was dumped on our property line to create a barrier. DNR completely blocked road access from our property to the main DNR road. DNR also repaired damaged stream beds and closed illegal trails into our property. The DNR employees conducting the research commented several times about the extensive damage from ORVs.

Due to the efforts of the DNR, the ORV trespassing and damage on that side of our property ceased. However within months, a new access was illegally cut in to our property by ORV users on the other side of our property – property adjoining the Mount Baker Motorcycle Club and DNR land. When we had our property surveyed approximately 4 years ago, Ayers Consulting Land Surveyor reported that they could not believe the illegal egresses and damage done to the forest, the streams and to our property in general. Once the survey was complete, signs and fences or gates were installed on illegal accesses. Fences have since been torn down, signs are riddled with bullet holes and the damage continues.

Seven years ago while we were working on the lower farm portion of our property, we had an attempted break-in. The perpetrators came in from the top of Sumas Mountain. When we walked up the hill and caught them by surprise, they ran to their two ATVs and fled back up the mountain. We were fortunate that only one door and lock were damaged. Cameras and other security measures have since been taken. In addition to property destruction there are numerous trash sites on Sumas Mountain consisting of old ORV parts, wheels, garbage furniture, beer cans, oil drums and other waste that should be in a landfill. This is brought in by motorized vehicles. Once left, the trash items are used as targets by ORV operators. Shooting occurs at all times of the day and night with no regard for people or animals living on the mountain.

I have emailed and called DNR asking for assistance with ORVs regarding noise concerns, shooting and drinking problems during the day and late at night and have never received a response from any DNR law enforcement. The Whatcom County Sheriff's office has responded, but said that they cannot do enforcement on DNR land. This fall there were squatters staying on the property adjoining mine who entered and exited with an ATV through DNR land late at night. I could hear them and finally found out where they were living. The area was littered with trash dumps, human waste and old tarps and protected by a Pitbull. While they lived there gunfire directed towards our home ceased for the first time since purchasing the property and no illegal ORV trails were cut into our property, so we did not turn them in to law enforcement. They moved once the Mount Baker Motorcycle Club clear-cut their property.

Prior to the squatters, we have confronted men shooting directly towards our home from DNR land who said that they did not know people lived up here. Most of these encounters ended well, but some of our neighbors have not had positive experiences and have been threatened with guns. Animals are poached routinely from the area, but it is difficult to catch the poachers. We have found the

skinned remains of coyote, raccoon, deer, ducks, geese and one heron during summer months prior to hunting season. This often occurs late at night or in the early morning hours before daylight when the only identifiers are random rifle fire accompanied by ORV sounds.

During one of the earlier planning meetings a comment from an ORV enthusiasts suggested that noise travels uphill and should not affect the residents surrounding the proposed ORV trail system. This is incorrect, on Sumas Mountain – **noise is amplified.** We can hear ORVs and gunfire above our home as if it was inside our living room. Vehicle noise and gunfire occur almost every day and night during the spring, summer and fall. It is less in winter months, but increases over the weekends.

Two years ago, quads made a huge mud bog on DNR land near our property boundary and 10 acres above our home. The noise was equivalent to being next to a race track and went on for most of a Sunday and well into the night. We hiked up the hill to find out why the sound was not moving and found that a stream had been diverted to make a bog and a quad was stuck. The following weekend, the bog was filled with lumber and old pallets, a new trail had been illegally cut into the area and a new trash dump was created. We have cleaned-up and packed out large amounts of trash from my property and from DNR property to try and stop repeated dumping episodes.

Property owners go through extensive permitting processes to build homes or do improvements in Whatcom County. If you live near streams or creeks, the process is very in-depth. Conservation efforts are designed to mitigate damage from rural activities. Farm plans are required, set-back easements for streams and creeks are required, tree harvesting is monitored and existing wildlife patterns or protections are reviewed and mitigated as needed to protect the rural environment.

Allowing ORV trails on Sumas Mountain goes against everything that Whatcom County has established. Trees will be illegally cut; roads illegally built; streams destroyed; high decibel continuous noise will occur; animals will be harassed, stressed, poached and migrate closer to residents creating safety issues; crime, trespassing and gunfire will increase in an area already underserved by law enforcement; drug trafficking will increase with a network of legal and illegal trails connecting Red Mountain and Sumas Mountain; wildfires will increase placing higher demands on local, state and federal resources; EMS calls will increase in an area with limited or no cell service; and property values will decrease as this activity is incompatible with farms and residential homes.

The Public Lands Commissioner, Hilary Franz, issued a statement recently urging lawmakers to adopt carbon reducing policies and develop policies for protecting trees, water and land. The proposed amendment for ORV motorized trails in **NO WAY** supports DNR directives. We purchased our property because it adjoined DNR lands and expected the DNR to uphold its mission of managing natural resources. For DNR to request Whatcom County's approval for an ORV trail amendment indicates that this was never the purpose of DNR.

Some comments submitted from ORV users during the planning meetings suggest that with sanctioned trails illegal activities and property damage will decrease because these groups will monitor the trails. I do not believe this statement. The property damage that has occurred to the

Mount Baker Motorcycle Club's own building and surrounding DNR lands was not monitored or protected by the Club. Any of the existing DNR roads/trails used by ORVs on Sumas Mountain have a multitude of side trails cutting through fish bearing streams and destroying land for the purpose of developing steeper and more difficult trails. These illegal trails then become trash dumps and shooting areas. **This is a real problem.** Who will patrol at 2 am? Who will monitor and repair damaged areas? Who will remove the trash and human waste? Who will curtail gunfire? Who will stop illegal bonfires, smoking, shooting at explosive devices that create huge noises and lots of sparks, illegal firework activity and monitor ORVs for spark

arrestors during times of moderate and high fire danger? Who will protect residents and farms from increased crime, trespassing and property damage?

Whatcom County is a wonderful place to live with many great resources and we do believe that the Council will make solid decisions and weigh all aspects in this process. We also believe that the Council will not be swayed by a few special interest groups with political clout to undermine residents living on Sumas Mountain. Residents who chose a quiet peaceful rural lifestyle. We do believe that the Council will recognize that Sumas Mountain is populated by people, farms, bear, deer, mountain lion, coyote, ducks, geese, bald eagles, hawks, owls, heron, salmon, trout etc., and develop recreational activities that recognize these aspects. Activities that can be enjoyed by many and not just one group of high impact recreational users.

Please protect the residents and our natural resources by making the area available for hiking, mushrooming, berry picking, horse and llama packing, mountain biking and those wanting peace and quiet in the natural environment. Many more people and groups will be served by this type of plan. This plan also reflects the information collected in the recreational surveys. ORV use was a small percentage of the survey data and that data also showed that most respondents thought that ORV trails were incompatible with other recreational activities.

I would like to add my voice to those who have come forward to oppose motorized trail development as part of the Bay to Baker Recreation Plan.

Let me first say that these lands are already serving a valuable purpose and being enjoyed by our community. Natural spaces are home and habitat to native plants and animals. Natural spaces are wild buffers of peace and quiet, which we need to stay sane and feel safe.

Making public land available to be enjoyed by the public makes sense, but opening these lands to ORV use does not achieve that goal. Land open to ORV use cannot be enjoyed by any other recreational group due to the noise and destruction cause by ORVs.

The noise and traffic created by ORVs will also infringe upon the peace and privacy of those who live in the surrounding community. We choose to live in this part of the county because we love the natural spaces, the relative peace and quiet, the escape from the light and noise pollution of cities. Please do not bring ORVs into our backyards. We already put up with the noise pollution and very visible destruction of clear-cut logging on DNR lands. Do not subject us to further noise and destruction on the lands not currently being logged.

Your job is to PRESERVE this land to be enjoyed by all, not open it for destruction to please one interest group at the expense of others.

I am excited to see the DNR considering developing areas of timber lands to make them more accessible to recreational users. I am a nature lover, trail runner, and a mountain biker, so I would love to see more multi-use trails in Whatcom county. However, the inclusion of ORVs on proposed trails will make them completely unusable to me, damaging to wildlife habitat, and disruptive for local residents due to noise, pollution, and increased trailer traffic. Please, do NOT include motorized vehicles in your plan.

I am 16 years old I would like to say that I am very excited with these up coming plans of opening up some land that includes pro motorized trails. As I have been growing up and getting to go out more I have noticed that areas and trails are closed everywhere I go. Places that I use to go to as a child have been permanently closed and gated off with no real reason we have seen. To have a new area opened means alot to me because this does not happen very often around here. I have been going camping with my dad for as long as I can remember, he is disabled so he is not able to walk very far for very long so not having any motorized trails to go and see beautiful places is really hard for us to get around and see them. I really like the lay out of concept E in the plans for this new development.

Thank you for your time and allowing public comments and input.
