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123 5th Avenue North, Suite 130
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Emailed to: rrobbins@co.okanogan.wa.us

Subject: Comments on Threshold Determination for WATV road openings in District 1

January 2, 2019

Dear Ms. Robbins:

The Methow Valley Citizens Council (MVCC) appreciates the opportunity to comment on the Threshold Determination noted above. The mission of MVCC is to raise a strong community voice for protection of the Methow Valley's natural environment and rural character.

The District 1 proposal opens approximately 91 miles of roads to WATVs and includes mitigation measures which, if enacted, purport to justify a Mitigated Determination of Non-Significance (MDNS) and thus avoid the need for an EIS.

It is notable that a similar MDNS for District 3, opening 367 miles of roads and proposing similar mitigation measures, was signed on October 27, 2017. As of this date, however, key measures have not been enacted.

We appreciate that the Board of County Commissioners did adopt an ordinance raising the fines for off-roading. We also appreciate that the BOCC now consults with the resource agencies prior to preparing its proposal and issuing its Threshold Determination. However, no signs indicating which roads are open have been posted, and no signs have been posted to protect critical areas.

The MDNS for District 1 differs from District 3 in that it does not commit to signage to indicate which roads are open, but instead relies on outreach, websites, and generic signage. MVCC remains skeptical that a website can replace signage to indicate an open or closed road, especially with the existence in previous years of erroneous maps of roads opened to WATVs published by The Omak Chronicle, and the county's limited enforcement and education capacity.

The mitigations proposed for District 3 regarding signage to indicate which roads are open to WATVs should be continued in the District 1 proposal. Moreover, roads closed to WATV use but which are known to be frequented by WATV operators, if any, should be signed as "Closed to WATV Use."

Both the District 3 and District 1 proposals include the requirement to post signs identifying critical areas. Neither proposal includes any information about how these areas will be identified or when the signage will be in place. (See Mitigation Measure 1.b, MDNS's for Dist. 1 and Dist. 3.) If this measure is necessary to support a finding that an EIS is not required, surely the areas should be identified using current information from WDFW, and signs should be in place, prior to opening the roads to WATVs. Without those measures in

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place, opening roads to WATVs could have significant environmental impacts that should be further examined in an EIS.

It has been almost fourteen months since the District 3 MDNS was issued, and, as noted, no signs have been posted. Moreover, as far as we are aware, no process is ongoing to identify critical areas for that district. This failure to act raises serious concerns about the county's ability or willingness to follow through on mitigation commitments. Further, it raises questions regarding the County's potential legal liability under the State Environmental Policy Act if mitigations are proposed to justify a MDNS, but not enacted. MVCC is not suggesting that an EIS be prepared; rather, signs should be posted to identify open roads and critical areas before roads are opened, in order to avoid preparation of an EIS.

MVCC is cautiously supportive of opening some County roads to WATVs if the public is engaged and appropriate mitigations are enacted to prevent the impacts of illegal riding. Including measures in a MDNS is not sufficient. Those measures must be carried out.

We appreciate the opportunity to share our concerns, and welcome further discussion that leads to their resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "Jasmine Minbashian". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jasmine Minbashian
MVCC Executive Director

Cc: Commissioners Branch, Hover, DeTro; Justin Haug