



San Juan County Council

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December 19, 2019

Director (210)
Protest Coordinator
20 M Street SE
Room 2134LM
Washington D.C., 20003

Re: 1610 (ORWOOO) P San Juan Islands National Monument Proposed RMP/Final EIS

Protest Coordinator:

The draft Resource Management Plan RMP/EIS contains actions that run counter to discussions and agreements reached during the lengthy planning process. San Juan County citizens who fueled the grassroots support of the Monument process wanted not only the permanent protection of the landscape, but also a management plan that reflects local interests. San Juan County (SJC) participated in the planning process as a Cooperating Agency and on the Monument Advisory Committee as the local government representative.

We have identified several actions that are contrary to the proclamation, public input, and the policies and laws of San Juan County. Additionally the text contains explanations and justifications using material that has been taken out of context. We conclude that SJC has standing for this document.

Copies of comments and issues addressed during the process are included at the end. However, shooting and dispersed camping and its locations were inserted into the plan after all comment periods had ended. They were done without public or cooperating agency input. Therefore, we have not addressed these earlier, but they should be considered.

The San Juan Islands National Monument is located almost entirely within the boundaries of San Juan County. San Juan County Council (SJCC), the legislative and administrative authority for SJC, in the interest of its citizens, has voted to submit the following protest:

**Monument Advisory Committee Engagement
(Exec Summary; Page ix,x)
Contrary to the Proclamation**

The BLM is required by Presidential Proclamation and Federal Statute to consult the Monument Advisory Committee (MAC) in developing and implementing the plan. It has largely been blocked for nearly three years by BLM action (a moratorium on meetings for many months in 2017) and inaction (not making appointments to positions as MAC terms ended, leaving the MAC below the quorum needed to meet) and longer noticing requirements for the Federal Register (60 days to 75 days). The result is a MAC that has been unable to productively engage on key topics such as dispersed camping.

In spite of the Monument Advisory Committee being highlighted in the executive summary (Exec Summary; Page ix,x), it should be stated that the MAC did not meet and comment on the published draft EIS/RMP or proposed RMP. The MAC did not provide input on the preferred alternative since it did not meet.

**Dispersed Camping
(Chapter 3; camping; pg 168) (Chapter 3 pgs 76,78, 80, 81, 82, 82, 84, 85, 87,88, 273, 276, 278)
Contrary to County Code and policies; Justification out of context**

Current designated sites managed by Washington State Parks are fine, additional dispersed camping should be eliminated from the RMP. The monument lands are designated as "Conservancy" in San Juan County code. However the area within 200 ft of the shoreline is designated "Natural". The definition of this designation is: "**Natural** designation (shoreline)" means the Shoreline Master Program designation designed to preserve unusual or valuable **natural** resource systems by regulating all potential uses, which might degrade or alter the **natural** characteristics that make the area unusual or valuable. The suggested dispersed sites, because they are within 200 feet of the shoreline are subject to SJC Shoreline Master Plan designation of "Natural".

Although camping on monument lands may have been previously possible without a plan, most commenters did not know this because of the restrictions of the County Code. Of the 1200 public comments submitted, 95% did not want dispersed camping.

The RMP references the County Visitor Study (Chapter 3; camping; pg 168) as justification, citing 93% of the visitors wanted more camping, which is out of context. The visitors wanted more camping instead of more hotels and physical lodging structures. More camping may be more of a perception than reality. During the peak season of June through September, San Juan County Parks' campsites had a utilization rate between 28% and 64%. The visitors surveyed came to islands by ferry and only one proposed site is accessible by road or trail.

Local staff does not have the capability to permit and monitor the effects of dispersed camping to habitat, cultural resources, and landscapes. Additionally, monument staff has limited capabilities for enforcement.

Dispersed camping should not be allowed until a complete cultural survey is done to protect unidentified cultural resources. Dispersed camping does not respect the species and habitat protection mentioned in the proclamation. It is repeatedly cited in the document (Chapter 3 pgs 76,78, 80, 81, 82, 82, 84, 85, 87,88, 273, 276, 278) that dispersed camping has a negative impact on vegetation and other resources.

We have spent hundreds of thousands of dollars to manage and mitigate the impact of visitors to the islands, and have designed our camping regulations accordingly. Out of context, this is interpreted in the plan as a way of restricting access. In SJC, the environment is our economy and the economy is our environment. We use "Leave No Trace" planning principles to protect the resource that keeps visitors coming back.

Indian Island Specific: No camping is allowed in the Eastsound urban growth area. At low tide, Indian Island is connected to Orcas Island. Any camping here negatively affects Eastsound and is against County code.

The following are codes that the above text is based on:

- San Juan County Code 12.12 restricts camping on county property to designated camping and rest areas.
- San Juan County Code 18.40.330 (a)(1); A. All Recreational Developments. The following standards apply to all recreational developments:
- Recreational areas shall be located to protect adjacent properties from adverse impacts. Where the proposed recreational use can reasonably be expected to have adverse impacts on adjacent properties, and where existing ground cover, such as trees or shrubs, will not provide an adequate buffer between the recreational area and adjoining properties, screening or fencing will be required.
- San Juan County Code 18.30.040; Land Use Table; Camping not allowed in Conservancy designation.

**Vegetation Management Use of Herbicides and Pesticides
(Chapter 2; Habitat and Plant Community Management; pg 11 -12) (Chapter 3; Habitat and Plants Analytical Issue 3; Proposed RMP; Table 16 pg 103- 104; Alternative B; pg 105 -107)
Contrary to County Code**

The RMP aims for a balance between now and pre-European contact. It allows the utilization of a broad range of options. This should not be done at the expense of water quality and the near shore environment. The cumulative effects of various treatments on the near shore environment, forage fish spawning areas, and juvenile salmonids have not been adequately considered.

County Code:

- 18.50.520 B(2) Regulations by Designation. Natural. Noncommercial recreational uses of a nature and intensity consistent with the objectives of the natural designation are allowed. Such uses might include viewpoints and public pedestrian trails. New roads, camping areas, parking lots, restrooms, and similar facilities may be located within the SMP jurisdiction only when all other locations are not feasible. ... The use of chemical fertilizers, pesticides, and herbicides is prohibited. Landscaping shall consist of native vegetation.
- 18.60.090 (3) Public Roads - No herbicides, pesticides, or other chemicals shall be used for weed control in road rights-of-way.

Shooting

(Chapter 2; Recreation and Visitor Services; pg 19)(Chapter 3; Hunting; pg 170 – 171)(Chapter 3; Hunting Proposed RMP; pg 172)(Chapter 3; Hunting/Shooting; Potential User Conflict; pg 176 – 177) (Chapter 3; Recreation and Visitor Services Issue 3 - Proposed RMP; pg 185)

Contrary to County Code

The RMP allows for the use of firearms and bows during State- designated hunting season throughout the monument outside of the three designated campgrounds. This includes target shooting during those periods. While the State limits the type of firearms that can be used in hunting, the RMP does not place such limits on target shooting.

It also does not consider County Codes that regulate target shooting and shooting ranges. The RMP should respect county codes regulating this activity. Some of these properties are small enough that it is impossible to discharge ammunition, which would not go beyond the boundaries of the monument.

County Code:

- 18.30.040 Land Use Table Natural Designation Outdoor Shooting Range not allowed.
- Indian Island Specific 18.30.460 Table 4 Eastsound Sub-Area Plan Land Use Table; Natural Designation; Outdoor Shooting Range not allowed.

18.40.330(c) Recreational Developments Outdoor shooting and archery ranges shall be located, designed, constructed and operated to prevent the likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur. It is recommended that the National

Rifle Association's Range Manual be consulted and used in the development and operation of ranges; Articles 1, 2, and 3 of the safety recommendations for outdoor shooting ranges shall be used as guidelines in the design and construction of shooting ranges. (Ord. 2-1998 Exh. B § 4.25)

Wildfire/ Habitat and Plant Management

(Chapter 2; Habitat and Plants; Management Direction; page 11 bullet 7)

(Chapter 3; Wildfire; pages 241 – 249 and Table 62)

Inadequate Safety Procedures

The RMP calls for prescribed burning for vegetation management and as a way to reduce future wildfire danger. We feel that any burning should only occur on islands where the BLM controls the entire island.

Almost every other parcel(s) owned by the BLM are in close proximity to homes and structures qualifying as the wildland urban interface with highest priority for fire suppression. However, the ISO for the entire island is 6. The department consists of 99% volunteers. State and Federal resources are not housed locally. Response times are longer than other places and the distance between fire and structures much less. Wildfires or proposed prescriptive burning would occur at the same time as most forest fires occur and Department of Natural Resources assets are deployed far away.

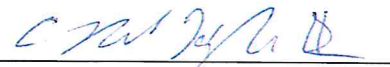
The assumptions made regarding the distance of homes from monument borders and the ability to control a fire to within a ¼ mile beyond the boundary of the monument are in error. This is especially evident in the Iceberg Point and Point Colville – Watmough Bay areas. Based on BLM's wildfire speed chart and distances measured on San Juan County's (SJC) would easily reach homes, cut off response access, and escape routes quickly. First error, structures are located within ¼ mile of NM parcel borders.

Second, in these areas the vegetation consists mainly of dry forest and woodland with burning rate of 66 feet per hour. A fire originating in the southern part of Iceberg Point at the edge of forest/ woodland would reach Seth Road (distance of 2,631 ft.) within 1 hour. Several houses would be lost and access/escape road to homes east of there would be blocked. Similarly, at Point Colville, structures are much closer than 1,320 ft (1/4 mile). Again using the southern edge of the Point, a fire would reach the structure 920 ft away within ½ hour and cut off the access/escape road (1,604 ft) to five more homes in 35 minutes.


It is difficult for any agency to plan or implement a plan effectively without public support. We ask that you revise the proposed RMP to reflect the public's ideas and input.

Best regards,


**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**



Rick Hughes, Chair
District No. 2



Bill Watson, Vice Chair
District No. 1



Jamie Stephens, Member
District No. 3