



**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
MT. BAKER-SNOQUALMIE NATIONAL FOREST
ORDER #06-05-24-02**

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50(a), the following acts are prohibited within the boundaries of the Mt. Baker-Snoqualmie National Forest as shown in Exhibit A. This Order is effective May 16, 2024, through May 16, 2026, unless rescinded earlier.

PROHIBITIONS:

1. Camping for a total of 28 days, per calendar year, on National Forest System lands outside of a developed campground. [36 CFR § 261.58(a)]
2. Camping for a period longer than 14 consecutive days, at the same location, on National Forest System lands outside of a developed campground. [36 CFR § 261.58(a)]

PROHIBITION AREA DESCRIPTION:

All National Forest System lands within the Mt. Baker-Snoqualmie National Forest.

EXEMPTIONS:

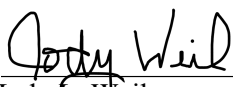
Pursuant to 36 CFR § 261.50(e), the following persons are exempt from this Order:

1. Any Federal, State, or local officer, or member of an organized rescue or fire-fighting force in the performance of an official duty.
2. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation Order), specifically exempting them from this order.

This prohibition is in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Violations of this prohibition are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both (16 U.S.C. § 551; 18 U.S.C. §§ 3551, 3559, 3571, and 3581).

Executed in Everett, Washington, this 16th day of May 2024.



Jody C. Weil
Forest Supervisor
Mt. Baker-Snoqualmie National Forest

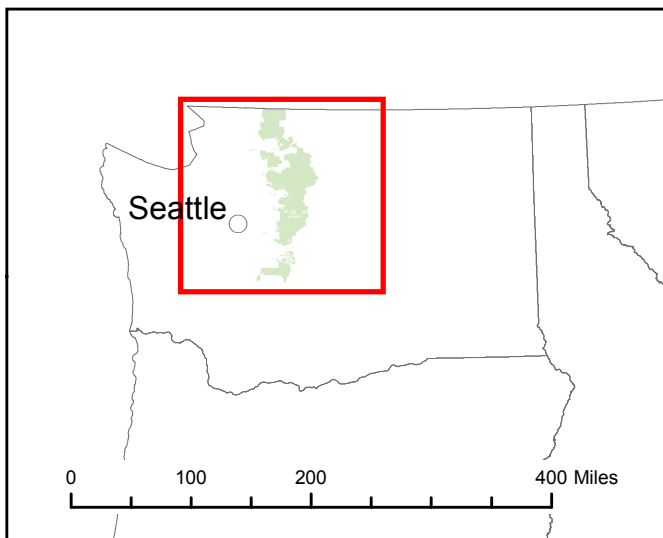
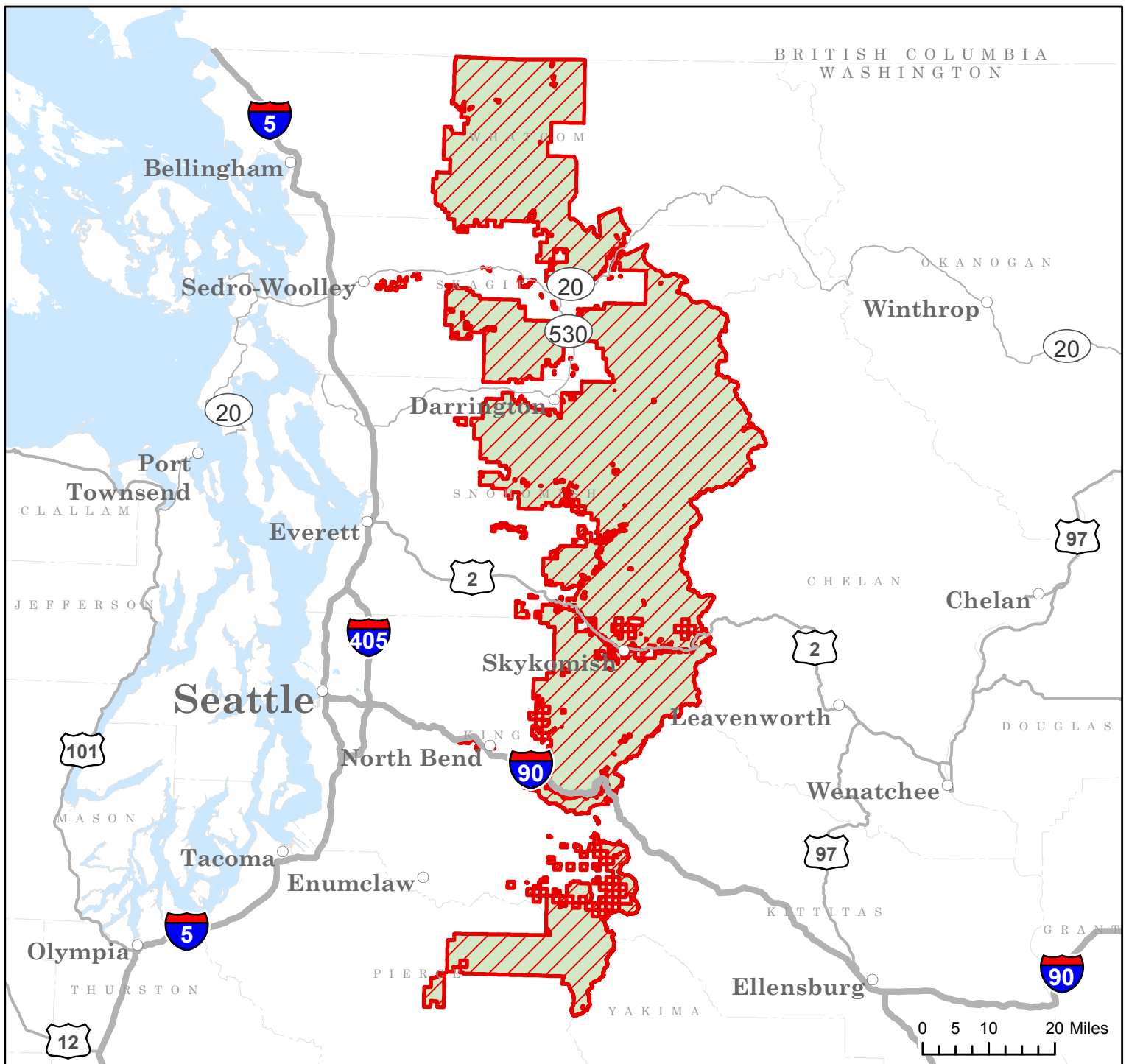








Exhibit A
Order Number 06-05-24-02

Stay Limits

Mt. Baker-Snoqualmie National Forest

-  Prohibition Area
-  Mt. Baker-Snoqualmie National Forest
-  County Boundary
-  Interstate Highway
-  US Highway
-  State Highway and Route

JH





United States
Department of
Agriculture

Forest
Service

Mt. Baker-Snoqualmie National
Forest

2930 Wetmore Ave., Suite 3A
Everett, WA 98201

May 16, 2024

FROM: FOREST SUPERVISOR – Jody L. Weil

TO: FILE

SUBJECT: OCCUPANCY AND USE STAY ORDER # 06-05-24-02

FILE CODE: 1950

BACKGROUND AND NEED:

The Forest Service has historically established stay limits when: resource damage is occurring, visitors cannot use facilities because of monopolization of a few, or persons are using sites as season-long residences. (FSM 2334.33) Stay prohibitions also respond to a need to protect visitor health and safety and the natural resources of the National Forest. This order reduces the levels of impacts to resources and addresses the public's expectation that visitation and camping on National Forest System (NFS) lands is temporary, and there is a reasonable likelihood that favorable locations are, or will soon be, available for others to use.

Resource damage - Monitoring has shown that long term use areas are often located in sensitive resource areas such as riparian zones. Limiting visitor stays will reduce the risk and/or degree of common impacts such as: a) water contamination from improperly disposed of toilet paper and wastes, b) increased turbidity from soil erosion, c) proliferation of user created trails in the vicinity of established unmanaged campsites, d) soil compaction and damage from loss of vegetation cover, loss of organic litter and exposure, e) vegetative damage, f) trash and other contaminants (such as oil, etc.), and g) abandoned personal property.

Even when visitors leave the area and camp in another location on the forest, the resource damage continues. Visitors who have camped for extended periods tend to not dispose of garbage and human waste properly. Rather, they tend to leave their garbage and improperly disposed fecal materials and move to another site. Limiting the duration of camping encourages visitors to return home and dispose of waste material in an appropriate manner.

Visitor safety - Trash and spilled or discarded food may attract wildlife to the campsites and result in dangerous human/wildlife interactions. Onsite disposal of human fecal material presents both a nuisance and a public health hazard. Both garbage and human waste also leave odors that detract from Forest visitors' experiences. Visitors and Forest staff are exposed to health and safety risks and water quality degradation from human waste that has not been properly disposed of. Diseases caused by water/soil contamination from sewage or contaminated water include various types of dysentery, hepatitis A, cholera, giardia, e-coli, cryptosporidium and others.

Forest Employee safety - Long-term users tend to spread out across an area, adding more and more personal items and trash to Forest lands, and they often do not remove these items upon their departure. This situation can result in dangerous and expensive efforts to remove contamination/hazardous materials after the occupants leave. This debris often contains human waste, hazardous materials, needles and drug paraphernalia and other items hazardous to Forest Service employees who are tasked with removing the debris.

Forest facility design and vandalism - National Forest recreation facilities are neither designed nor maintained to provide for the constant use of extended stays, or long-term residencies; such use exceeds typical maintenance and staffing budgets. It is also documented that increased vandalism and site modification occurs to existing recreation facilities in such situations.

Monopolization of popular/favored use areas – Long-term use at popular or desirable areas is limiting the opportunities for fair and equitable use of NFS lands by other Forest users. The popularity of the Forest as a recreation area requires that managers effectively manage visitor use while protecting natural resources.

Expectations of other forest users; a natural experience for all forest users - We have anecdotal reports and documented law enforcement actions indicating incidents of people staying as long as 3-4 months in favored locations. Other Forest users can feel uncomfortable being near long-term encampments due to the site ownership and protection exhibited by the long-term campers. Limiting visitor stays will create a fair and equitable opportunity for all visitors and create the temporary camping atmosphere most Forest visitors have come to expect from a visit to NFS lands.

Overall, the goal of this Forest Order is to create a more equitable sharing of popular use areas (sustainability and stewardship), reduce user competition, prevent long-term occupancy of Federal lands and reduce resource damage by dispersing visitor use. Additional benefits include reduced facility damage, reduced dumping and concerns about hazardous materials, and increased employee and visitor safety.

PUBLIC SCOPING:

The use restrictions included in this order are long standing management practices for the Mt. Baker-Snoqualmie National Forest. Scoping has included forest employees, partners, and other neighboring land management agencies. To date, there has been no public comment regarding the need to adjust this management practice.

REASONS FOR CATEGORICALLY EXCLUDING THE ACTION:

Based on a review of the proposed order and consultation with District and Forest resource specialists, I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 C.F.R. § 220.6(d) (1) - *prohibitions to provide short-term resource protection or to protect public health and safety* - and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure.



CIVIL RIGHTS IMPACT ANALYSIS:

The closures will have no impacts on civil rights as they will apply to all individuals. No one group or person will be affected more than another group or person.

AUTHORIZATIONS FOR FOREST PERMIT HOLDERS:

This Forest Order includes an exemption for persons with a Forest Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order (Form FS-7700-48). Authorization under this exemption will be provided only if I or my delegate determine that the risk to personal health and safety is reasonable considering the circumstances of the request. We also may require appropriate personal protective equipment and other necessary safety measures. The Deputy Forest Supervisor is delegated the authority to issue permits within the closure area.

SUMMARY:

Based on my review, I have determined that this Forest Order is compliant with the Forest Order process and should be authorized.

A handwritten signature in black ink, appearing to read "Jody Weil".

Jody L. Weil
Forest Supervisor
Mt. Baker-Snoqualmie National Forest